



AGENDA

NOTICE AND AGENDA

REGULAR MEETING - TUESDAY, DECEMBER 11, 2012

CITY HALL - 500 CASTRO STREET

4:30 P.M. – CLOSED SESSION

5:15 P.M. – STUDY SESSION

6:30 P.M. – REGULAR SESSION

4:30 P.M. – CLOSED SESSION (TO BE HELD IN THE PLAZA CONFERENCE ROOM)

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

2. **CLOSED SESSION**

2.1 **Conference with Real Property Negotiator (\$54956.8)** – Property: 819 North Rengstorff Avenue, APN 153-04-009 – Agency Negotiator: Linda Lauzze, Administrative and Neighborhood Services Manager – Negotiating Parties: Jonathan Emami and Linda Mandolini, ROEM Development Corporation and Eden Housing, Inc. – Under Negotiation: Price and Terms of Payment

5:15 P.M. – STUDY SESSION (TO BE HELD IN THE PLAZA CONFERENCE ROOM)

1. **CALL TO ORDER**

2. **ROLL CALL** – Councilmembers Abe-Koga, Bryant, Macias, Means, Siegel, Vice Mayor Inks, and Mayor Kasperzak.

3. **STUDY SESSION**

3.1 **ENVIRONMENTAL PLANNING COMMISSION CANDIDATE INTERVIEWS**

Interview five candidates for the Environmental Planning Commission.

6:30 P.M. – REGULAR SESSION (TO BE HELD IN THE COUNCIL CHAMBERS)

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE**
2. **ROLL CALL** – Councilmembers Abe-Koga, Bryant, Macias, Means, Siegel, Vice Mayor Inks, and Mayor Kasperzak.
3. **PRESENTATIONS**
 - 3.1 Proclamation of Appreciation to Eric Anderson, Environmental Planning Commission.
 - 3.2 Proclamation of Appreciation to Mark Vanni, Human Relations Commission.
 - 3.3 Proclamation of Appreciation to Kalwant Sandhu, Human Relations Commission.

4. **CONSENT CALENDAR**

These items will be approved by one motion by roll call vote unless any member of the Council or audience wishes to remove an item for discussion. The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise.

4.1 **CERTIFICATION OF OFFICIAL ELECTION RETURNS – NOVEMBER 6, 2012 GENERAL MUNICIPAL ELECTION**

1. Acknowledge certification from the Registrar of Voters of canvass of election returns of the November 6, 2012 General Municipal Election.
2. **Resolution No. ____** – Adopt A RESOLUTION 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 6, 2012 FOR THE ELECTION OF FOUR MEMBERS TO THE CITY COUNCIL, to be read in title only, further reading waived (Attachment 2 to the staff report).

4.2 REAPPOINTMENTS/APPOINTMENTS TO COMMISSIONS AND COMMITTEES

1. **Resolution No. ____** – Adopt A RESOLUTION APPOINTING ROBERT COX, _____, AND _____, TO THE ENVIRONMENTAL PLANNING COMMISSION, to be read in title only, further reading waived.
2. **Resolution No. ____** – Adopt A RESOLUTION REAPPOINTING KEN ROSENBERG AND APPOINTING ELLEN KAMEI AND LUCAS RAMIREZ TO THE HUMAN RELATIONS COMMISSION, to be read in title only, further reading waived.
3. **Resolution No. ____** – Adopt A RESOLUTION REAPPOINTING THIDA CORNES AND APPOINTING KATHERINE NAEGELE AS AN ALTERNATE TO THE PARKS AND RECREATION COMMISSION, to be read in title only, further reading waived.
4. Approve by motion reappointment of Bruce England and appointment of Simon Purdon and Greg Unangst to the Bicycle/Pedestrian Advisory Committee for the terms January 1, 2013 to December 31, 2016; and appointment of Cheryl Chang as the first alternate and Jarrett Mullen as the second alternate if a vacancy occurs before the yearly recruitment process.
5. Approve by motion reappointment of Rick Meyer to the Downtown Committee – Downtown Property and Business Owner and appointment of Kevin Boer to the Downtown Committee – Community-at-Large for the terms January 1, 2013 to December 31, 2015.
6. Approve by motion reappointment of Ray Chan to the Performing Arts Committee for the term January 1, 2013 to December 31, 2016.
7. Approve by motion reappointments of Carol Mellberg and Chris Parkinson to the Visual Arts Committee for the term January 1, 2013 to December 31, 2016.
8. Confirm the appointment of Paul Lansky as the neighborhood association's representative to the Downtown Committee for the term January 1, 2013 to December 31, 2013 as recommended by the Old Mountain View Neighborhood Association.

- 4.3 **Ordinance No. _____ – ADOPT AN ORDINANCE ADDING ARTICLE IV TO CHAPTER 16 OF THE MOUNTAIN VIEW CITY CODE RELATED TO REUSABLE BAGS (SECOND READING)** – Adopt AN ORDINANCE OF THE CITY OF MOUNTAIN VIEW ADDING ARTICLE IV TO CHAPTER 16 OF THE MOUNTAIN VIEW CITY CODE RELATED TO REUSABLE BAGS. (First reading: 5-2; Inks, Means no)
- 4.4 **Ordinance No. _____ – ZONING CODE AMENDMENTS FOR SENIOR CARE FACILITIES AND SENIOR ASSISTED-LIVING PROJECT AT 574 ESCUELA AVENUE (SECOND READING)** – Adopt AN ORDINANCE AMENDING SECTIONS OF CHAPTER 36 OF THE MOUNTAIN VIEW CITY CODE, TO INCLUDE SENIOR CARE FACILITY AS A CONDITIONAL USE PERMIT AND ALLOW SENIOR CARE FACILITY AS A PLANNED UNIT DEVELOPMENT. (First reading: 6-1; Macias no)
- 4.5 **Ordinance No. _____ – EMERGENCY SHELTERS, AND TRANSITIONAL AND SUPPORTIVE HOUSING (SECOND READING)** – Adopt AN ORDINANCE AMENDING SECTIONS OF CHAPTER 36 OF THE MOUNTAIN VIEW CITY CODE, TO INCLUDE EMERGENCY SHELTERS, AND TRANSITIONAL AND SUPPORTIVE HOUSING. (First reading: 7-0)
- 4.6 **STEVENS CREEK TRAIL – EVELYN AVENUE ACCESS POINT AND BRIDGE LANDINGS IMPROVEMENTS, PROJECT 12-34 – ACCEPT CONSTRUCTION** – Accept Stevens Creek Trail – Evelyn Avenue Access Point and Bridge Landings Improvements, Project 12-34, and authorize the final contract payment.
- 4.7 **ENERGY UPGRADE MOUNTAIN VIEW EXTENSION FUNDING**
1. Authorize a six-month extension of Energy Upgrade Mountain View (EUMV), from January 1, 2013 to June 30, 2013, to enable existing participants to continue receiving monthly energy usage reports and additional information to further reduce their use of energy.
 2. Authorize the City Manager to amend the existing professional services agreement with High Energy Audits of Los Altos Hills, California (HEA), for an additional \$10,000 to provide monthly energy use reports and reduction strategies to EUMV participants.

3. Redesignate and commit \$10,000 in existing limited-period environmental sustainability funding for this expense.
- 4.8 FINAL MAP APPROVAL, TRACT NO. 10144, 445 CALDERON AVENUE**
1. **Resolution No. _____**—Adopt A RESOLUTION MODIFYING A CONDITION OF APPROVAL AND APPROVING THE FINAL MAP OF TRACT NO. 10144, ACCEPTING DEDICATIONS, AND MAKING FINDINGS AS REQUIRED BY CITY CODE, to be read in title only, further reading waived (Attachment 1 to the staff report).
 2. Authorize the City Manager to execute an agreement with 445 Calderon Avenue, LLC (see Attachment 2 to the staff report—Agreement for Payment of Park Land Dedication In-Lieu Fees).
- 4.9 ACCEPTANCE OF SENIOR ADVISORY COMMITTEE'S FISCAL YEAR 2011-12 ANNUAL REPORT AND APPROVAL OF FISCAL YEAR 2012-13 PROPOSED WORK PLAN**
1. Accept the Senior Advisory Committee's Fiscal Year 2011-12 Annual Report.
 2. Approve the Senior Advisory Committee's Fiscal Year 2012-13 Proposed Work Plan.
- 4.10 Resolution No. _____ –CITY CLERK COMPENSATION ADJUSTMENT –**
Adopt A RESOLUTION APPROVING A COMPENSATION ADJUSTMENT FOR THE CITY CLERK FOR PERFORMANCE DURING THE 2011-12 FISCAL YEAR, to be read in title only, further reading waived.
- 4.11 ACCEPT THE COUNCIL FINANCE COMMITTEE'S RECOMMENDATION TO EXTEND THE CITY'S EXTERNAL AUDITORS' CONTRACT FOR TWO YEARS**—Accept the Council Finance Committee's (CFC) recommendation and authorize the City Manager to extend the contract for audit and other related services with Maze & Associates an additional two years for Fiscal Years 2012-13 and 2013-14.

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda. Speakers are allowed to speak on any number of topics for one three-minute period during the meeting. State law prohibits the Council from acting on nonagenda items.

6. PUBLIC HEARINGS

6.1 ADOPTION OF RESOLUTIONS FOR INCREASES TO THE HOUSING IMPACT FEE FOR NONRESIDENTIAL DEVELOPMENT AND A NEW RENTAL HOUSING IMPACT FEE

1. **Resolution No. ____**—Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW TO AMEND THE EXISTING HOUSING IMPACT FEE SCHEDULE FOR NEW NONRESIDENTIAL DEVELOPMENT, to be read in title only, further reading waived (Attachment 1 to the staff report).
2. **Resolution No. ____**—Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW ESTABLISHING A RENTAL HOUSING IMPACT FEE FOR NEW MARKET-RATE RENTAL HOUSING DEVELOPMENT, to be read in title only, further reading waived (Attachment 2 to the staff report).

7. UNFINISHED BUSINESS

7.1 PERMANENTE CREEK FLOOD PROTECTION IMPROVEMENTS—CEQA, MCKELVEY PARK DETENTION BASIN, HERITAGE TREE MITIGATION, AND LAND USE AGREEMENTS

1. **Resolution No. ____**—Consider the Santa Clara Valley Water District's final Subsequent Environmental Impact Report for the Permanente Creek Flood Protection Project and ADOPT A RESOLUTION ADOPTING THE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE PROJECT IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), to be read in title only, further reading waived.

2. Approve the conceptual plan for the McKelvey Park ball fields and McKelvey mini-park.
 3. Approve the removal of and mitigation for 32 Heritage trees associated with the construction.
 4. Authorize the City Manager to execute agreements with the Santa Clara Valley Water District to design, construct, operate, and maintain flood detention and recreational facilities in McKelvey Park.
8. **NEW BUSINESS** – None.

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

No action will be taken on any questions raised by the Council at this time.

10. **CLOSED SESSION REPORT**

11. **ADJOURNMENT**

The next Special Council Meeting will be held on Tuesday, January 8, 2013, at 6:30 p.m. in the Council Chambers, 500 Castro Street.

NOTICE

There is a 90-day limit for the filing of a challenge in Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting. For information on the next regular or special City Council meeting, please call (650) 903-6304.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office, 500 Castro Street, Third Floor, during normal business hours and at the Council Chambers at City Hall, Second Floor, during the meeting. In addition, such writings and documents will be posted on the City's web site at www.mountainview.gov.

WW/9/CLK/429-12-11-12A

COUNCIL MEETINGS AND AGENDA

- The City Council meets regularly on the second and fourth Tuesday of each month at 6:30 p.m. in the Council Chambers at City Hall, 500 Castro Street, Second Floor. Special meetings are called as necessary by the Mayor and noticed at least 24 hours in advance.
- Interested parties may review the agenda, minutes and staff reports at the Mountain View Library, 585 Franklin Street, beginning the Thursday evening before each meeting and at the City Clerk's Office, 500 Castro Street, Third Floor, beginning Friday morning. Agenda materials may also be viewed electronically at www.mountainview.gov. Staff reports are also available at the Council Chambers during the meeting.
- SPECIAL NOTICE—Reference: Americans with Disabilities Act, 1990. Anyone who is planning to attend the next City Council meeting who is visually or hearing-impaired or has any disability that needs special assistance should call the City Clerk's Office at 903-6304 48 hours in advance of the Council meeting to arrange for assistance. Upon request, in advance, by a person with a disability, City Council meeting agendas and writings distributed during the meeting that are public records will be made available in the appropriate alternative format. Also upon request, in advance, an assistive listening device can be made available for use during the meeting.
- The Council meetings are cablecast live on Channel 26 on the Mountain View Comcast cable system and are replayed on Wednesday at 6:30 p.m. and on Saturday at 11:00 a.m. following that week's Council meeting. If there is a live Environmental Planning Commission meeting on a Wednesday, the replay of the City Council meeting will be on a Thursday at 6:30 p.m. In addition, Council Regular meetings are webcasted, and interested persons may visit the City's web site at www.mountainview.gov to watch the meetings live on their computer, laptop or PDA device. Archived broadcasts of previous meetings may also be accessed and watched on-line.
- The Council may take action on any matter noticed herein, and their consideration and action on the matters noticed herein is not limited by the recommendations indicated in the Agenda or staff report(s). The Council may consider and act on items listed on the agenda in any order and thus all those interested in an item listed on the agenda are advised to be present throughout the meeting (see Policy and Procedure A-13). The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise.
- By policy, no new items of business will be started after 10:00 p.m., unless an exception is made by vote of the Council.

ADDRESSING THE COUNCIL

- Interested persons are entitled to speak on any action item listed on the agenda and are requested to fill out the blue cards available at the rear of the Council Chambers and deposit them with the clerk or at the podium as soon as completed. This will assure that your name and city of residence are accurately recorded in the minutes and that your interest in speaking is recognized. If you wish to speak and are not recognized by the Mayor, please approach the podium prior to completion of discussion on the item. Speakers are allowed up to three minutes each, and if a large group wishes to express its views, it is more effective to have one spokesperson.
- Items on the "Consent Calendar" are not discussed individually but are approved as a group with one motion. If a citizen wishes to speak on an item on the Consent Calendar, he or she may come to the podium at the time announced by the Mayor and request that the item be pulled for discussion by the Council.
- Anyone wishing to address the Council on a nonagenda item may do so during the "Oral Communications" part of the agenda. Speakers are allowed to speak one time on any number of topics for up to three minutes.
- Reducing Time For Public Input: For any single agenda item and for Oral Communications from the Public, if there appears to be 15 or more speakers and the Council might not be able to conclude the scheduled agenda items for the meeting if speakers were allotted three (3) minutes each, the Mayor may reduce speaking time to no less than two (2) minutes per speaker unless there is an objection from Council, in which case majority vote shall decide the issue without debate.



DATE: December 11, 2012

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Energy Upgrade Mountain View
Extension Funding**

RECOMMENDATION

1. Authorize a six-month extension of Energy Upgrade Mountain View (EUMV), from January 1, 2013 to June 30, 2013, to enable existing participants to continue receiving monthly energy usage reports and additional information to further reduce their use of energy.
2. Authorize the City Manager to amend the existing professional services agreement with High Energy Audits of Los Altos Hills, California (HEA), for an additional \$10,000 to provide monthly energy use reports and reduction strategies to EUMV participants.
3. Redesignate and commit \$10,000 in existing limited-period environmental sustainability funding for this expense.

BACKGROUND

In January 2011, the City Council authorized a \$319,000 professional services agreement with HEA to design and implement EUMV, a residential energy assessment and upgrade program. EUMV is funded with Federal Energy Efficiency and Conservation Block Grant (EECBG) moneys. All EECBG funds must be expended by December 31, 2012, at which time the EUMV program is scheduled to end.

Residents signing up for the EUMV program receive a personalized analysis of their home energy use and based on their energy use profile, receive customized audit services, support, and recommendations to reduce their energy use and carbon emissions. EUMV participants also receive monthly energy usage alerts and additional information to help them make additional energy reductions.

To date, more than 1,200 residents have signed up for EUMV, but more than 65 percent of those sign-ups have occurred in the latter half of 2012, leaving little time for the City to track and report on actual energy savings resulting from the participants' actions.

Since its start in April 2011, the EUMV program has achieved the following results:

- More than 1,200 participants have enrolled in the program.
- The top 25 percent of EUMV participants, in terms of energy saved, have reduced their energy bills by approximately \$350 per year and their carbon emissions by an average of 974 pounds per year.
- The average EUMV participant has lowered their energy bill by \$42 per year and their carbon emissions by 134 pounds per year.
- Participants, collectively, have saved more than 84 megawatt hours (MWh) of electricity and 2,000 therms of natural gas, which is equivalent to the annual electricity use of 30 homes per year or to removing 15 cars from the road for a year.

ANALYSIS

At its October 18, 2012 meeting, the Council Environmental Sustainability Committee (CESC) indicated an interest in extending EUMV outreach efforts for an additional six months, through June 30, 2013, to enable: (1) existing participants to save more energy by continuing to receive monthly energy usage alerts, monthly energy saving tips, and on-line access to their home energy profile for tracking purposes; and (2) the City to derive more comprehensive, real-world data on the effectiveness of the program. No new EUMV sign-ups would be solicited during the six-month extension period. Staff recommends funding this extension with existing one-time environmental sustainability funding.

The CESC also discussed the possible continuation funding for the EUMV program beyond June 30, 2013. The CESC will discuss this topic in early 2013 and may submit a funding request to continue the EUMV program during the upcoming Fiscal Year 2013-14 budget development and approval process.

FISCAL IMPACT

The estimated cost of continuing energy use tracking and reduction services for current EUMV participants from January 1, 2013 through June 30, 2013 is \$10,000.

As suggested by the CESC at its October 2012 meeting, staff recommends the remaining balance of funding previously designated by the Council to support Green Mountain View's sustainability efforts (approximately \$7,300) be reallocated for this purpose, since Green Mountain View is on an indefinite hiatus. Other uncommitted one-time environmental sustainability funding can be used to fund the remaining \$2,700 cost of continuing the EUMV program.

ALTERNATIVES

1. Take no action and allow the EUMV program to end on December 31, 2012 as scheduled.
2. Continue providing the full range of EUMV services (including home energy use assessments for an estimated 250 additional new participants, customized support and services, monthly energy use alerts and reduction tips, energy tracking capabilities, and energy-saving devices) through June 30, 2013 at a cost of \$65,000.

PUBLIC NOTICING

In addition to distributing copies of this report in accordance with the City's standard agenda posting requirements, a copy of the staff report was sent to HEA.

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SA-LF/7/CAM
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