

NOTICE AND AGENDA

**JOINT SPECIAL MEETING OF THE MOUNTAIN VIEW CITY COUNCIL
AND THE MOUNTAIN VIEW REVITALIZATION AUTHORITY –**

**TUESDAY, JANUARY 19, 2010
CITY HALL – 500 CASTRO STREET
5:00 P.M.—CLOSED SESSION
5:45 P.M.—STUDY SESSION
6:30 P.M.—REGULAR SESSION**

5:00 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: Two Privately Owned Properties Totaling 0.26 Acre, Located on the Northeast Corner of Castro and California Streets; APN 158-23-034 and 158-23-082—Agency Negotiator: Ellis Berns, Assistant Community Development Director/Economic Development Manager—Negotiating Parties: Mountain View Revitalization Authority; Nghiem Thanh Truong, Property Owner; and Mike Cobb, Real Estate Broker—Under Negotiation: Price and Terms of Payment

5:45 P.M.—STUDY SESSION (TO BE HELD IN THE PLAZA CONFERENCE ROOM)

- 1. CALL TO ORDER**
- 2. ROLL CALL—Councilmembers Abe-Koga, Inks, Kasperzak, Macias, Means, Vice Mayor Siegel and Mayor Bryant.**
- 3. STUDY SESSION**
 - 3.1 ART OPTIONS FOR FIRE STATION NO. 5**

The City Council will hear a presentation and discuss the selection of art for Fire Station No. 5.

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

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**—Councilmembers Abe-Koga, Inks, Kasperzak, Macias, Means, Vice Mayor Siegel and Mayor Bryant.
4. **CONSENT CALENDAR**

These items will be approved by one motion 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 APPROVAL OF MINUTES—Approve minutes for the City Council Special Meeting of October 13, 2009.

4.2 2008-09 ANNUAL STREET RESURFACING PROGRAM, PROJECT 09-01—ACCEPT CONSTRUCTION—Accept 2008-09 Annual Street Resurfacing Program, Project 09-01, and authorize the final contract payment.

4.3 TRAFFIC SIGNAL AT EAST MIDDLEFIELD ROAD/LOGUE AVENUE AND AT CALIFORNIA STREET/MARIPOSA AVENUE, PROJECTS 06-31 AND 08-41—ACCEPT CONSTRUCTION—Accept Traffic Signal at East Middlefield Road/Logue Avenue and at California Street/Mariposa Avenue, Projects 06-31 and 08-41, and authorize the final contract payment.

5. **PUBLIC HEARINGS**—None.
6. **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.

7. NEW BUSINESS

**7.1 FIRST RESPONDER HOMEBUYER ASSISTANCE PROGRAM—
ADMINISTRATIVE GUIDELINES**

1. Adopt the draft Administrative Program Guidelines (Attachment 1 to the staff report) detailing the policies and procedures for administration of the First Responder Homebuyer Assistance Program.
2. Amend Council Policy D-13 establishing the homebuyer program to be consistent with the Administrative Guidelines as shown in Attachment 2 to the staff report.
3. Select the Palo Alto Housing Corporation (PAHC) to administer the program and authorize the City Manager to enter into an agreement with PAHC and any future agencies that may be needed to administer the program.

7.2 AGREEMENT BETWEEN THE CITY AND THE COUNTY OF SANTA CLARA FOR COOPERATIVE PURCHASING OF POWER

Authorize the City Manager to execute a multi-jurisdictional Agreement for Cooperative Purchasing of Power with the County of Santa Clara to develop a regional Power Purchase Agreement (PPA) and solicit proposals to purchase renewable energy.

7.3 INTRODUCTION OF ORDINANCE TO CHANGE TIMES FOR REGULAR AND SPECIAL MEETINGS

Introduce AN ORDINANCE AMENDING ARTICLE I, CHAPTER 2 OF THE MOUNTAIN VIEW CITY CODE, SETTING THE TIME AND PLACE FOR COUNCIL MEETINGS, to be read in title only, further reading waived, and set second reading for February 9, 2010.

8. COUNCIL, STAFF/COMMITTEE REPORTS

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

9. CLOSED SESSION REPORT (OPEN SESSION)

10. ADJOURNMENT

The next Regular Council Meeting will be held on Tuesday, February 9, 2010, 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.

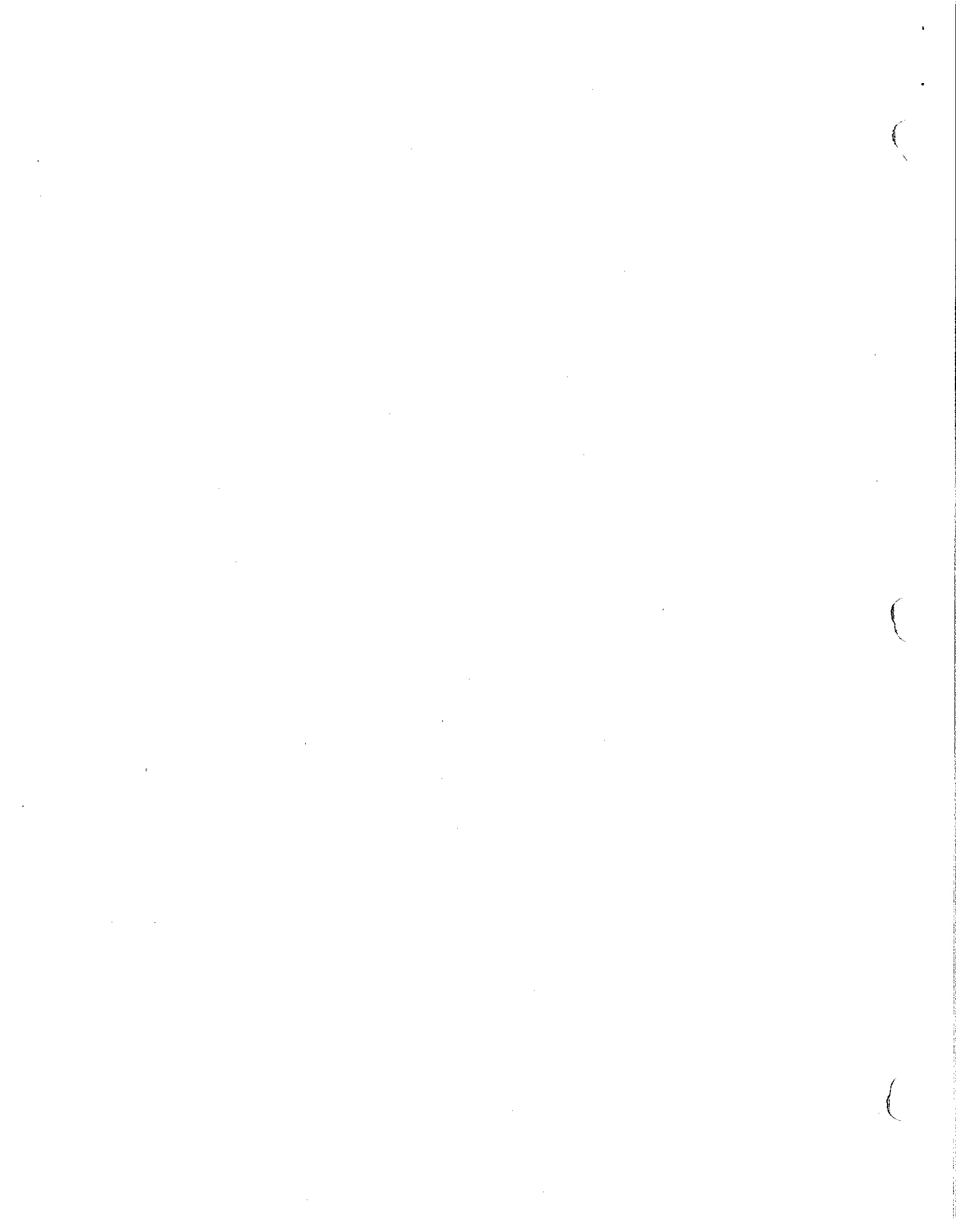
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COUNCIL MEETINGS AND AGENDA

- 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.
- The City Council meeting discs are made solely for the purpose of facilitating the preparation of the minutes of the meetings. The discs are available for members of the public to listen to during regular office hours in the City Clerk's Office and are recycled as necessary.

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.



COUNCIL REPORT



CITY OF MOUNTAIN VIEW

AGENDA: January 19, 2010

7.2

CATEGORY: New Business

DEPT.: Public Works

TITLE: Agreement between the City and the County of Santa Clara for Cooperative Purchasing of Power

RECOMMENDATION

Authorize the City Manager to execute a multi-jurisdictional Agreement for Cooperative Purchasing of Power with the County of Santa Clara to develop a regional Power Purchase Agreement (PPA) and solicit proposals to purchase renewable energy.

FISCAL IMPACT

There is no cost associated with executing the proposed agreement, except limited staff time reviewing documents. If the City does participate in a PPA, the cost to purchase, install, maintain and remove a solar system would be borne by the vendor with whom the City contracts. The City would only be responsible for purchasing power, the costs of which are unknown until responses to the Request for Proposals (RFP) are received and accepted; however, in general terms, a PPA yields costs lower than PG&E rates over the 15- to 20-year term of the agreement.

The cost of the three site surveys, described below, is \$4,000 per site. Surveys are required prior to entering into the PPA.

BACKGROUND

Joint Venture: Silicon Valley Network (Joint Venture), through its Climate Protection Task Force, initiated a collaborative effort in 2009 to investigate a regional purchase of power from photovoltaic solar systems at a reduced group rate for area cities and counties with Santa Clara County as the lead agency. Joint Venture and Santa Clara County officials undertook this task at the request of Santa Clara and San Mateo County cities due to the high upfront costs to purchase individual solar systems and the significant legal, procurement and technical issues associated with financing arrangements such as PPAs. The aim of the project is to reduce each agency's CO₂ emissions by purchasing solar power while achieving an economy of scale with a group purchase, resulting in lower power prices.

Power Purchase Agreement

A PPA is a long-term contract, generally 15 to 20 years, in which the City agrees to host a solar system owned by a private vendor and purchase the electricity from the vendor

according to an agreed-upon price schedule. The vendor funds installation and maintenance of the system and receives payment for the power from the City as well as Federal tax incentives available only to the private sector. The vendor is also responsible for removing the system at the end of the contract if the City chooses not to continue or purchase it.

ANALYSIS

This Agreement for Cooperative Purchasing of Power is the first step toward a regional purchase of renewable power for City and County operations. The Agreement describes the roles and responsibilities of Santa Clara County and each participating city in developing the RFP, the vendor selection process and a master PPA that can be used as a template for all of the participating agencies. The goal of this agreement is to solidify the City's participation in the process. The price and terms of the PPA will not be finalized until the RFP solicitation is completed. Once the PPA is finalized, it will be presented to the Council for consideration. Santa Clara County will act as the lead for approximately 24 agencies and 90 potential sites by preparing and creating templates of transaction documents. They will also collaborate with all participating cities on research and staff support, site-specific data gathering, document creation, RFP criteria and the evaluation and award process.

Under the terms of the Agreement, the cities must each undertake their own due diligence, including site feasibility, legal, procedural and other requirements. While each city will use the template documents, individual agencies may customize their agreements and are responsible for including their own unique criteria, if any. The Mountain View City Attorney's Office is participating in the development of the PPA with the County and other interested cities.

Agreement Summary

The agreement between the City and the County of Santa Clara includes the following elements:

- Santa Clara County will act as the lead agency.
- Santa Clara County will provide staff support preparing all appropriate template documents at no cost to the participating agencies.
- The participating agencies will collaborate throughout the process, advising the County.
- Each participating agency must undertake their own due diligence, including site feasibility, legal, procedural and other requirements.
- The participating agencies may enter into the template PPA with the selected vendor(s).

Site Surveys

The City of Milpitas hired CH2M Hill to perform site surveys and invited other cities to join them to take advantage of a lower per-survey rate. Milpitas is managing the survey contract. Mountain View is participating by having the following sites surveyed:

- Golf Pro Shop and/or parking lot.
- Shoreline maintenance facility and/or carport structures.
- 135 Bryant Street garage.

These sites appear to meet the initial criteria of having adequate sun exposure, sufficient power demand, no complicated roof treatments and access for maintenance of the solar system. The detailed site survey will provide more information about the suitability of these locations. If any of the proposed sites are not feasible, the City can withdraw the site.

Key Elements of a PPA

The pros and cons of a regional collaboration PPA as described by Santa Clara County are:

Pros:

- The upfront cost is very low, consisting of the site survey and staff time.
- The cost of electricity is stabilized and known for an extended time, likely 15 to 20 years.
- There are no operating or maintenance costs.
- Systems include minimum performance guarantees for power output.
- Flexibility is provided with various termination options as well as purchase options at specified periods.
- The City's greenhouse gas emissions from operations are reduced.
- The cost of photovoltaic systems are reduced through volume purchasing.
- The recommended agreement provides all cities access to legal, procurement and technical expertise by Santa Clara County, which participating agencies would otherwise have to pay for.

- Installation of solar systems supports local clean tech jobs.

Cons:

- Based on an analysis by Santa Clara County of the typical PPA, the total cost over 15 to 20 years is more expensive than purchasing a solar power system with upfront capital but less expensive than financing a power system through bonds. Initial power costs are expected to be slightly higher than PG&E rates but escalated at a lower rate. Over time, rates would be lower, resulting in reduced costs during the life of the contract.
- Vendor must have access to public facilities for installation and maintenance of solar systems.
- Structuring of a PPA is complex and a legally intensive process.

NEXT STEPS

The County of Santa Clara has requested signed agreements from participating agencies by the end of January 2010 so they can move forward with the solicitation process. Upon receipt of all signed agreements and completion of the site surveys, Santa Clara County will solicit proposals from reputable vendors for a PPA, likely in February/March. If the solicitation is successful, the actual PPA between Mountain View and the selected vendor(s) will be brought to Council later this year for action.

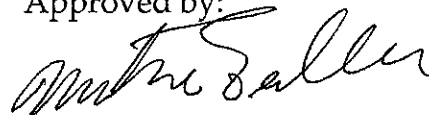
PUBLIC NOTICING—Agenda posting.

Prepared by:



Joan Jenkins
Transportation and Policy Manager

Approved by:



Michael A. Fuller
Interim Public Works Director



Kevin C. Duggan
City Manager

JJ-LT/7/CAM
907-01-19-10M-E^

cc: TPM, SWPM, BSM, ESC, SAA—Irwin, F



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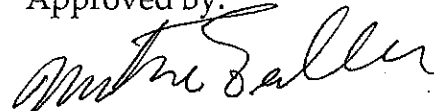
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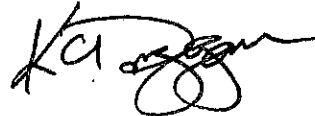


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