



Lisa Matichak, Mayor  
Margaret Abe-Koga, Vice Mayor  
Christopher R. Clark, Councilmember  
Alison Hicks, Councilmember  
Ellen Kamei, Councilmember  
John McAlister, Councilmember  
Lucas Ramirez, Councilmember

Daniel H. Rich, City Manager  
Jannie L. Quinn, City Attorney  
Lisa Natusch, City Clerk

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July 23, 2019

Council Chambers and Plaza Conference Room, 500 Castro St.,  
Mountain View, CA 94041

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

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

**1. CALL TO ORDER**

Mayor Matichak called the meeting to order at 6:31 p.m.

**2. PLEDGE OF ALLEGIANCE**

Mayor Matichak led the Pledge of Allegiance.

**3. ROLL CALL**

**Present:** 6 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei,  
Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

**Absent:** 1 - Councilmember McAlister

**4. CONSENT CALENDAR**

MOTION - M/S - Clark/Abe-Koga - To approve the Consent Calendar.

The motion carried by the following vote:

**Yes:** 6 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei,  
Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

**Absent:** 1 - Councilmember McAlister

**4.1 Newspaper Advertising Bid Award**

Authorize the City Manager or his designee to award the contract for legal advertising for Fiscal Year 2019-20 to the San Jose Post Record as the lowest responsible bidder.

**4.2 Amend Project 19-67 to Include Maintenance and Repairs for 996 West Dana Street**

Amend the scope of work and title of Project 19-67, Acquisition of 996 West Dana Street, to read, "Acquisition, Maintenance, and Repair of 996 West Dana Street."

**4.3 Indemnity Agreement to Allow Mountain View Peace Officers to Serve as Santa**

**Clara Per Diem Police Officers for Special Events**

Authorize the City Manager or his designee to execute a second amendment to an 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 and surrounding areas.

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

Rhoda Fry, Cupertino Environmental Review Committee member speaking for herself, spoke regarding expansion plans for Lehigh Quarry and Stevens Creek Quarry and submitted written materials.

**6. PUBLIC HEARING****6.1 Adopt an Amended Resolution of Necessity and Authorize the Initiation of Eminent Domain Proceedings**

Real Property Program Administrator Dennis Drennan presented the staff report.

Public Hearing opened at 6:08 p.m.

No speakers.

Public Hearing closed at 6:08 p.m.

MOTION - M/S - Clark/Abe-Koga - To:

1. Adopt Resolution No. 18372, An Amended Resolution to Determine the Necessity to Acquire a Portion of Property Located at 808 Shoreline Boulevard (APN 153-14-002) by Eminent Domain for the Construction of the Shoreline Boulevard Reversible Transit Lane Project; to Authorize Commencement of Litigation to Acquire Property by Eminent Domain; and to Seek an Order of Possession (Code of Civil Procedure Section 1245.220), read in title only, further reading waived.

2. Authorize the City Attorney to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the portion of the property described herein by eminent domain, if necessary, and petition the court for immediate Order of Possession.

Councilmember Clark stated the motion includes the required findings shown on slide four of the staff presentation.

The motion carried by the following vote:

**Yes:** 6 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

**Absent:** 1 - Councilmember McAlister

**7. NEW BUSINESS**

### 7.1 Appointment of City Attorney and Authorization to Execute Employment Agreement with Krishan Chopra

Human Resources Manager Sue Rush presented the staff report.

Public Comment opened at 6:44 p.m.

No speakers.

Public Comment closed at 6:44 p.m.

Mayor Matichak stated that in accordance with Brown Act requirements that the City Council orally report a summary of any Council action on salaries, salary schedules, or fringe benefits for the City's Council Appointees, the specific recommendations to be approved by the City Council regarding the appointment of the City Attorney are as follows:

- Salary of \$245,000 annually.
- Continued participation in health, retirees' health, life and disability insurance plans and CalPERS retirement with the same employer contribution as provided to department heads.
- Holidays, sick leave and vacation accruals will continue based on the initial hire date and as provided to department heads.
- Management leave will increase from 80 to 96 hours as provided to department heads.
- Cell phone allowance of \$50 per month.
- Eligibility to request a loan through City Council Policy D-13 Mountain View Employee Homebuyer and Relocation Assistance Program subject to City Council approval and availability of funds at the time of the request.
- In the event of termination of the employment agreement, six months of severance as provided to Council Appointees.

MOTION - MS - Abe-Koga/Ramirez - To: Appoint Krishan Chopra to serve as City Attorney for the City of Mountain View, authorize the Mayor to execute an employment agreement with Mr. Chopra, and authorize a one-week overhire.

The motion carried by the following vote:

**Yes:** 6 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

**Absent:** 1 - Councilmember McAlister

### 8. COUNCIL, STAFF/COMMITTEE REPORTS

Mayor Matichak reported her attendance at meetings of the Airport Land Use Commission and Bay Area Water Supply and Conservation Agency (BAWSCA).

### IMMEDIATELY FOLLOWING COUNCIL MEETING

### 9. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

City Attorney Jannie Quinn announced the item for Closed Session and stated she did not

anticipate having a Closed Session report this evening.

Public Comment opened at 6:52 p.m.

No speakers.

Public Comment closed at 6:52 p.m.

Mayor Matichak announced that following a brief recess Council would reconvene in the Plaza Conference Room for Closed Session and stated that following the Closed Session the City Council would adjourn to the next Council Meeting on Tuesday, September 3, 2019, at 6:30 p.m. in the Council Chambers, 500 Castro Street.

#### **10. CLOSED SESSION (PLAZA CONFERENCE ROOM)**

Mayor Matichak called the meeting to order in the Plaza Conference Room.

Councilmembers Clark, Hicks, Kamei, Ramirez, Vice Mayor Abe-Koga and Mayor Matichak were present. Councilmember McAlister was absent.

#### **10.1 Public Employee Performance Evaluations (§54957(b)(1))-Titles: Council Appointees: City Manager, City Attorney and City Clerk**

The Closed Session concluded at 7:42 p.m.

#### **11. CLOSED SESSION REPORT**

None.

#### **12. ADJOURNMENT**

At 6:53 p.m., Mayor Matichak adjourned the regular meeting.