



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  
Krishan Chopra, City Attorney  
Lisa Natusch, City Clerk

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September 03, 2019

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

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

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

**1. CALL TO ORDER**

Mayor Matichak called the meeting to order at 6:30 p.m.

**2. PLEDGE OF ALLEGIANCE**

Mayor Matichak led the Pledge of Allegiance.

**3. ROLL CALL**

**Present:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei,  
Councilmember McAlister, Councilmember Ramirez, Vice Mayor  
Abe-Koga, Mayor Matichak

**4. CONSENT CALENDAR**

MOTION - M/S - McAlister/ Ramirez - To approve the Consent Calendar.

The motion carried by the following vote:

**Yes:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei,  
Councilmember McAlister, Councilmember Ramirez, Vice Mayor  
Abe-Koga, Mayor Matichak

**4.1 Approve Meeting Minutes**

Approve City Council Meeting Minutes of July 23, 2019.

**4.2 100 Moffett Boulevard-Accept Public Improvements**

Accept the public improvements for the development at 100 Moffett Boulevard for  
maintenance throughout their useful lives.

**4.3 Immediate Repairs to Sewage Pump Station, Project 17-48-Amend the Project  
Budget and Authorize Professional Services Agreement**

1. Authorize the transfer and appropriation of \$161,000 from the Wastewater Fund to Immediate Repairs to Sewage Pump Station, Project 17-48.

2. Authorize the City Manager to execute a professional services agreement with Tanner Pacific, Inc., for the Immediate Repairs to Sewage Pump Station, Project 17-48, for a total not-to-exceed fee of \$210,000.

**4.4 2018-19 Street Resurfacing and Slurry Seal Program, Project 19-01-Appropriate Funds and Authorize Award of Construction Contract**

1. Appropriate and transfer \$500,000 from the Construction/Conveyance Tax Fund to the 2018-19 Street Resurfacing and Slurry Seal Program, Project 19-01.

2. Award the construction contract to O'Grady Paving, Inc., of Mountain View for the 2018-19 Street Resurfacing and Slurry Seal Program, Project 19-01, in the amount of \$1,858,402.

**4.5 Professional Services Contracts-Land Development and Construction Engineering Sections**

1. Authorize the City Manager, regarding CSG Consultants, Inc., to:

- Amend the Fiscal Year 2018-19 professional services contract using Fiscal Year 2019-20 funding for an additional \$7,578 for land development services provided, for a total Fiscal Year 2018-19 contract amount of \$357,578;
- Amend the existing Fiscal Year 2019-20 professional services contract for an additional \$192,422 for land development services, for a total contract amount of \$292,422; and
- Execute a professional services contract for Fiscal Year 2019-20 for \$100,000 for construction engineering services, for a total of \$400,000 of Fiscal Year 2019-20 funding for these CSG Consultants, Inc., agreements.

2. Authorize the City Manager to amend the existing Fiscal Year 2019-20 professional services contract with Freyer & Laureta, Inc., for an additional \$50,000 for land development engineering services, for a total contract amount of \$150,000.

3. Authorize the City Manager to execute a professional services contract with TRC Engineers, Inc., for Fiscal Year 2019-20 for \$100,000 for construction management and inspection services.

4. Authorize the City Manager to amend the existing professional services contract with Tanner Pacific, Inc., for an additional \$101,000 for construction management and inspection services, for a total contract amount of \$200,000.

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

No speakers.

**6. PUBLIC HEARING - None.**

## 7. UNFINISHED BUSINESS

### 7.1 Use of Unmanned Aircraft Systems (Drones) in Support of City Operations

Police Lieutenant Saul Jaeger presented the staff report. Public Works Director Mike Fuller, City Attorney Krishan Chopra and City Manager Dan Rich provided additional information.

Public Comment opened at 6:43 p.m.

The following member of the public spoke:  
Alex Nunez, and provided a presentation

Public Comment closed at 6:46 p.m.

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

Adopt Resolution No. 18373 Adopting City Council Policy K-23, Use of Unmanned Aircraft Systems, governing the responsible use of Unmanned Aircraft Systems by City staff (Attachment 1 to the Council report).

Following discussion, Vice Mayor Abe-Koga modified the motion to include direction to staff to provide a written report in one year as to how the program is going. Councilmember McAlister accepted the modification.

The motion carried by the following vote:

**Yes:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

## 8. NEW BUSINESS

### 8.1 Shoreline Boulevard Transit Lane and Utility Improvements, Project 16-58-Project Update and Related Items

Senior Civil Engineer Andy Chang presented the staff report. Public Works Director Mike Fuller, Principal Civil Engineer Lisa Au, Real Property Program Administrator Dennis Drennan and City Manager Dan Rich provided additional information.

Public Comment opened at 7:34 p.m.

The following members of the public spoke:  
Ken Kershner  
Karen deMoor  
Max Beckman-Harned, speaking for himself  
Joel Dean

Public Comment closed at 7:44 p.m.

Public Comment reopened at 7:45 p.m.

The following member of the public spoke:  
Unidentified woman

Public Comment closed at 7:46 p.m.

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

1. Approve the removal and mitigation for 16 Heritage trees and replacement at a minimum ratio of 2:1 with 24" box trees.
2. Amend Mark Thomas & Company's professional services agreement in the amount of \$53,600 for designing the mitigation measure at the Moffett Boulevard/Route 85 on-ramp.

Following discussion, City Manager Rich stated staff will look into additional noticing options for North Bayshore related construction activities.

The motion carried by the following vote:

**Yes:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

## **8.2 Proposed Response to Santa Clara County Civil Grand Jury Report: Inquiry into Governance of the Valley Transportation Authority**

Assistant Public Works Director Dawn Cameron presented the staff report. City Manager Dan Rich provided additional information.

Public Comment opened at 8:20 p.m.

No speakers.

Public Comment closed at 8:20 p.m.

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

Approve the draft response to the Santa Clara County Grand Jury Report: Inquiry into Governance of the Valley Transportation Authority (Attachment 1 to the Council report), with amendments to include the addition of a sentence stating that the City generally concurs with the study parameters proposed by the Grand Jury which should include various methods of selecting members and how the representation is determined, such as population, employment, employment growth/centers, and sales tax revenue generation; consideration of a super majority vote over a certain threshold of dollars; and allowing cities

to have the opportunity to comment on the Valley Transportation Authority and any other study reports.

The motion carried by the following vote:

**Yes:** 7 - Councilmember Clark, Councilmember Hicks, Councilmember Kamei, Councilmember McAlister, Councilmember Ramirez, Vice Mayor Abe-Koga, Mayor Matichak

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

Vice Mayor Abe-Koga requested Council consider policies relating to gun safety measures as a Council priority.

City Manager Dan Rich provided comments.

Following discussion, by unanimous show of hands vote, Council directed staff to bring back an agenda item, including staff workload implications, for discussion of whether to agendaize the issue for future Council consideration.

Mayor Matichak reported her attendance at two meetings of the Santa Clara/Santa Cruz Counties Airport Roundtable on airplane noise and announced her participation on an ad-hoc committee regarding their strategic plan and work plan for future consideration by the full body. In addition, Mayor Matichak reported her attendance at a meeting of the Transportation Committee of the Cities Association of Santa Clara County.

## **IMMEDIATELY FOLLOWING COUNCIL MEETING**

### **10. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)**

At 8:44 p.m., City Attorney Krishan Chopra announced the items for Closed Session and stated he did not anticipate that there would be any reportable action following the Closed Session.

Public Comment opened at 8:47 p.m.

The following member of the public spoke:  
Alex Nunez

Public Comment closed at 8:48 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 10, 2019, at 5:30 p.m. in the Plaza Conference Room, 500 Castro Street.

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

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

All Councilmembers were present.

- 11.1 Conference with Real Property Negotiator (§54956.8)-Property: (1600 N. Shoreline Boulevard, APN 116-10-070; 1616 N. Shoreline Boulevard, APN 116-10-086; 1674 N. Shoreline Boulevard (portion), APN 116-10-085; 1015 Joaquin Road (portion) APN 116-10-097)-Agency Negotiator: Dennis Drennan, Real Property Program Administrator-Negotiating Party: Google LLC-Under Negotiation: Price and Terms of Payment for Acquisition of Real Property**
- 11.2 Conference with Real Property Negotiator (§54956.8)-Property: (Gamel Way, a public street) (No APN)-Agency Negotiator: Dennis Drennan, Real Property Program Administrator-Negotiating Party: Kevin DeNardi, The DeNardi Group-Under Negotiation: Price and Terms of Payment for the Sale of Real Property**
- 11.3 Conference with Real Property Negotiator (§54956.8)-Property: (Portion of 711 Calderon Avenue) (APN 158-04-001)-Agency Negotiator: Dennis Drennan, Real Property Program Administrator-Negotiating Party: Juli Alis Whitman and Cary Thompson Weigle, Trustees of the Weigle Marital Trust U/T/A dated April 6, 1982-Under Negotiation: Price and Terms of Payment for the Possible Acquisition of Real Property**
- 11.4 Public Employee Appointment (California Government Code §54957(b)(1)) - Title of Position: City Manager**

The Closed Session concluded at 11:00 p.m.

**12. CLOSED SESSION REPORT**

City Attorney Krishan Chopra stated that he did not expect any reportable action following the Closed Session.

**13. ADJOURNMENT**

At 8:49 p.m., Mayor Matichak adjourned the special meeting.