

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF THE CITY  
OF LOS ALTOS, HELD ON TUESDAY, JULY 28, 2015, BEGINNING AT  
7:00 P.M. AT LOS ALTOS CITY HALL, 1 NORTH SAN ANTONIO ROAD,  
LOS ALTOS, CALIFORNIA**

**ESTABLISH QUORUM**

PRESENT: Mayor Pepper, Mayor Pro Tem Bruins, Councilmembers Mordo, Prochnow and Satterlee

ABSENT: None

**PLEDGE OF ALLEGIANCE**

Mayor Pepper led the Pledge of Allegiance to the flag.

**CLOSED SESSION ANNOUNCEMENT**

1. Public Employment: City Manager Performance Review and Labor Negotiations  
Pursuant to Government Code Section 54957(b) and 54957.6
2. Conference with Legal Counsel – Anticipated Litigation  
Pursuant to Government Code Section 54956.9(d)(2) – One case

Mayor Pepper reported that no action was taken during the Closed Session meeting.

**CHANGES TO THE ORDER OF THE AGENDA**

Action: Upon a motion by Councilmember Satterlee, seconded by Councilmember Mordo, the Council unanimously continued item number 10 to August 25, 2015.

**SPECIAL PRESENTATIONS**

Mayor Pepper presented a proclamation to Anthony Lin of Pacific Gas and Electric Company recognizing Safe Digging Day, August 11, 2015.

Carl Guardino of Silicon Valley Leadership Group presented information regarding a potential 2016 Transportation Tax Measure.

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

Naomi Nakano-Matsumoto introduced herself as the new Executive Director of CHAC.

Los Altos resident Kurt Ayers encouraged the Council to improve the raised crosswalk near Almond Elementary School along El Monte Avenue.

Planning and Transportation Commissioner Michael McTighe identified himself as the Planning and Transportation Commission representative for the evening.

## **CONSENT CALENDAR**

Members of the public pulled items number 3 and 5.

Action: Upon a motion by Councilmember Satterlee, seconded by Councilmember Prochnow, the Council unanimously approved the Consent Calendar, with the exception of items number 3 and 5, as follows:

1. Approved the minutes of the June 23, 2015 study session and regular meeting.
2. Approved the minutes of the July 14, 2015 special meeting.
3. Pulled for discussion (see page 5).
4. Adopted Resolution No. 2015-27, accepting completion of the Annual ADA Improvements for Main Library Parking Lot, Project 13-16 and authorized the Public Works Director to record a Notice of Completion as required by law.
5. Pulled for discussion (see page 5).
6. Adopted Resolution No. 2015-28, authorizing the Los Altos History Museum to apply for a Santa Clara County Historical Heritage Grant on behalf of the City of Los Altos in the amount of \$30,000.
7. Received Memorandum of Response to Findings and Recommendations in the Final Report by the 2014-2015 Santa Clara County Civil Grand Jury: "Protecting Our Most Vulnerable Residents" and authorized the City Manager to send said Memorandum of Response to Findings and Recommendations to the Presiding Judge of the Santa Clara County Superior Court.

## **PUBLIC HEARINGS**

8. Adopt Resolution No. 2015-26, abandoning a scenic easement on Lots 5 and 6 in the Madelaine Court subdivision, Tract No. 3107, subject to the listed findings and conditions

Senior Planner Dahl presented the report.

Mayor Pepper opened the public hearing.

Los Altos resident Brent Gorrell, applicant, encouraged Council to adopt the Resolution.

Mayor Pepper closed the public hearing.

Action: Upon a motion by Mayor Pro Tem Bruins, seconded by Councilmember Prochnow, the Council unanimously adopted Resolution No. 2015-26, abandoning a scenic easement on Lots 5 and 6 in the Madelaine Court subdivision, Tract No. 3107, subject to the listed findings and conditions.

9. Introduce and waive further reading of Ordinance No. 2015-411, rezoning the property at 366 First Street (Draeger's Market) from Downtown Commercial/Multiple-Family (CD/R3) to Commercial Retail Sales (CRS); and approve Design Review 14-D-03, Variance 14-V-15 and Use Permit 14-UP-04 applications subject to the findings and conditions

Senior Planner Dahl presented the report. Bill Brigham and Katherine Blanner of Field Paoli presented the application.

Mayor Pepper opened the public hearing.

Los Altos resident Jim Wing expressed concerns regarding the streetscape design and encouraged the inclusion of additional street lights and the removal of the mid-block crosswalk.

Los Altos resident Darwin Poulos supported the application.

Mayor Pepper closed the public hearing.

Action: Upon a motion by Mayor Pepper, seconded by Councilmember Mordo, the Council unanimously introduced and waived further reading of Ordinance No. 2015-411, rezoning the property at 366 First Street (Draeger's Market) from Downtown Commercial/Multiple-Family (CD/R3) to Commercial Retail Sales (CRS).

Action: Upon a motion by Councilmember Mordo, seconded by Mayor Pro Tem Bruins, the Council unanimously approved Use Permit 14-UP-04 application, subject to the findings and conditions.

Action: Upon a motion by Mayor Pro Tem Bruins, seconded by Councilmember Prochnow, the Council unanimously approved Variance 14-V-15 application, subject to the findings and conditions.

Action: Upon a motion by Mayor Pro Tem Bruins, seconded by Councilmember Prochnow, the Council unanimously approved Design Review 14-D-03 application, subject to the findings and conditions, with the following modifications: 1) modify Finding 2e to remove the words "street" and "frontage;" 2) modify Condition 4 to remove the word "street;" 3) add a condition to require the maintenance of the green wall along the east side of the project; 4) direct staff to further evaluate lighting along the sidewalk and safety features for the bulbouts; and 5) add a condition requiring stone veneer be placed on the southwest corner of the building to match the other three corners.

10. Introduce and waive further reading of Ordinance No. 2015-412, establishing a development fee of 1% for public art, creating a Public Art Fund and establishing requirements for inclusion of public art in development projects

Continued to August 25, 2015.

*Mayor Pepper recessed the meeting at 8:37 p.m. The meeting resumed at 8:46 p.m.*

## **DISCUSSION ITEMS**

11. Deny Design Review 14-D-10, Use Permit 14-UP-05 and subdivision 14-SD-01 applications for 999 Fremont Avenue subject to findings

Mayor Pepper disclosed ex parte communications with Gregg Bunker, Tracy Ross, Elie Alcheck Gary Ross, Sal Giavannotto and various property owners in Loyola Corners. Mayor Pro Tem Bruins disclosed ex parte communications with Gregg Bunker, Elie Alcheck, Deb Skelton, David Rock and Ron Labetich.

Planning Services Manager Kornfield presented the report. Chip Jessup and Gregg Bunker presented the application.

### Public Comments

Los Altos residents Henry More, Katherine Wurzburg, Teresa Bailey, Stephen More, Pat Marriott, Linda Newton, Teresa Morris, Deb Skelton, Kris Potter, Tom Ferry and Steve Wurzburg, all representing Los Altans for Neighborly Development, and Los Altos residents Rick Walleigh, Brett Beedle, Ron Meserve, Darwin Poulos, Nancy Martin, Heather Larkin, MJ Lopatin, Lawrence Aronson, Don Anderson, Donna Poulos, David Evans, Dave Yost and Doug Baney, and Maria Gonzalez of Tom's Deopt opposed the application.

Mike Alcheck, Elie Alcheck, Tracy Ross-Tamasi, Judy Lorenzo, Ken Ravon, Bill Seligmann, and Ariel Ross and Los Altos residents Dick Kenarney, Judy Simes, Junaid Qurashi and Bill Sheppard supported the application.

Action: Upon a motion by Councilmember Satterlee, seconded by Mayor Pepper, the Council unanimously denied Use Permit 14-UP-05 application, subject to findings which will be reviewed and adopted by Council at the August 25, 2015 Council meeting.

Action: Upon a motion by Councilmember Satterlee, seconded by Mayor Pro Tem Bruins, the Council unanimously denied Subdivision 14-SD-01 application, subject to the findings.

Action: Upon a motion by Councilmember Satterlee, seconded by Mayor Pro Tem Bruins, the Council unanimously denied Design Review 14-D-10 application, subject to findings which will be reviewed and adopted by Council at the August 25, 2015 Council meeting.

## **ITEMS PULLED FROM CONSENT CALENDAR**

3. Adopt Ordinance No. 2015-410, ordering the submission of a proposition of incurring bonded debt to the qualified voters of the City of Los Altos at a special municipal election to be held on November 3, 2015, for the purpose of the construction and improvement of Hillview Community Center and Park

City Clerk/Assistant to the City Manager Maginot presented the report.

### Public Comments

Los Altos resident Gerry Madea expressed concerns that the Council had not conducted an analysis of ongoing costs to the City upon completion of a new community center.

Los Altos resident King Lear supported the proposed bond measure.

Los Altos resident Maria Lonergan opposed the proposed plan for the community center.

Los Altos resident Catherine Nunes requested the Council change the proposed language in the ballot statement.

Action: Upon a motion by Mayor Pro Tem Bruins, seconded by Councilmember Prochnow, the Council unanimously adopted Ordinance No. 2015-410, ordering the submission of a proposition of incurring bonded debt to the qualified voters of the City of Los Altos at a special municipal election to be held on November 3, 2015, for the purpose of the construction and improvement of Hillview Community Center and Park.

5. Award the Base Bid and Add Alternates No. 2 and 3 for the Redwood Grove Bank Stabilization Project, CF-01001 to Granite Rock Company in the amount of \$556,000 and authorize the City Manager to execute the contract on behalf of the City

### Public Comments

Los Altos resident Jim Wing opposed Add Alternates No. 2 and 3.

Los Altos residents Tim Twerdahl and Abigail Ahrens opposed Add Alternate No. 2

Action: Motion made by Mayor Pepper, seconded by Councilmember Mordo, to award the Base Bid for the Redwood Grove Bank Stabilization Project, CF-01001 to Granite Rock Company in the amount of \$514,600 and authorize the City Manager to execute the contract on behalf of the City.

Councilmember Satterlee offered an amendment, which was accepted, to award Add Alternate No. 3. The motion, as amended, passed unanimously.

## **DISCUSSION ITEMS CONTINUED**

12. Accept the summary of key conclusions from the 2015 survey of City of Los Altos residents regarding Downtown Los Altos

### Public Comments

Los Altos resident Anita Enander expressed confusion with conclusion number 7.

Action: Councilmember Satterlee provided comments on item number 9. The item was continued to a future meeting.

13. Designate a Delegate and an Alternate for the purpose of attending and voting at the League of California Cities Annual Conference and Business Meeting September 30 – October 2, 2015 in San Jose

Action: Upon a motion by Councilmember Satterlee, seconded by Mayor Pepper, the Council unanimously designated Mayor Pepper as Delegate and Councilmember Prochnow as Alternate for the purpose of attending and voting at the League of California Cities Annual Conference and Business Meeting September 30 – October 2, 2015 in San Jose.

14. Review the Tentative Council Calendar and provide direction on placement of items on the Calendar

Action: Council members discussed the Tentative Council Calendar and came to the following general consensus: add a review of the process for evaluating the Loyola Corners Specific Plan; add a moratorium on development in Loyola Corners for August 25, 2015; and add a report from California Water Service on the recent water contamination issue and its response to the emergency.

## **COUNCIL AND STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS**

### Council reports

Mayor Pro Tem Bruins requested the Mayor appoint an alternate to the Valley Transportation Authority Policy Advisory Committee and the Grand Boulevard Initiative.

Councilmember Satterlee reported she attended a meeting of the Downtown Buildings Committee on July 16, 2015 and announced the next meeting would be on August 12, 2015.

Councilmember Mordo reported on the July 1 and July 15, 2015 meetings of the City-wide Parking Committee.

Councilmember Prochnow reported she attended a meeting of the Los Altos Sister Cities Board. She further announced she and City Manager Somers would be attending the Grant Park Senior Program on July 29, 2015.

Mayor Pepper reported she and Mayor Pro Tem Bruins attended meetings of the City/LASD Public Lands Committee on July 8 and July 22, 2015.

Staff reports

City Manager Somers provided an update on the efforts of the Community Center Bond Measure Education subcommittee.

**ADJOURNMENT**

Mayor Pepper adjourned the meeting at 11:51 p.m.

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Janis C. Pepper, MAYOR

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Jon Maginot, CMC, CITY CLERK