

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF  
THE CITY OF LOS ALTOS, HELD ON TUESDAY, AUGUST 28, 2018,  
BEGINNING AT 7:00 P.M. AT LOS ALTOS CITY HALL, 1 NORTH SAN  
ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

**ESTABLISH QUORUM**

PRESENT: Mayor Mordo, Vice Mayor Lee Eng, Councilmembers Bruins, Pepper and Prochnow

ABSENT: None

**PLEDGE OF ALLEGIANCE**

Mayor Mordo led the Pledge of Allegiance to the flag.

**CHANGES TO THE ORDER OF THE AGENDA**

The Council moved the Special Presentation to immediately before the Special Item and moved Discussion Item 15 to immediately before Item 12.

**SPECIAL PRESENTATION**

Mayor Mordo presented a proclamation recognizing September as Revive Civility month, which he dedicated to Senator John McCain.

**SPECIAL ITEM**

A. Joint Volunteer Awards Committee (JVAC) Appointment: Appoint individual to fill vacancy on the JVAC

Action: Upon a motion by Councilmember Bruins, seconded by Vice Mayor Lee Eng, the Council unanimously appointed Lorraine Frances Whealan to a term on the JVAC expiring March 2021.

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

The following individual provided comments on items not on the agenda: Los Altos resident Jim Fenton

**CONSENT CALENDAR**

Councilmember Bruins pulled item number 3.

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Pepper, the Council unanimously approved the Consent Calendar, with the exception of Item 3, as follows:

1. Council Minutes: Approved the minutes of the July 10, 2018 study session and regular meeting.

2. North County Gun Buyback Program: Appropriated \$5,000 to the North County Gun Buyback Program
3. Response to the Santa Clara County Civil Grand Jury Report: *Affordable Housing Crisis – Density is Our Destiny*: Approve draft response to the Santa Clara County Grand Jury Report: *Affordable Housing Crisis – Density is Our Destiny – pulled for discussion (see page 4)*.
4. Use Permit for New After-School and Music Programs at 460 S. El Monte Avenue: Adopted Resolution No. 2018-30 to approve Use Permit 18-UP-03 (460 S. El Monte Avenue)
5. Professional Services Agreement: Construction Inspection Services: Authorized the City Manager to execute a professional services agreement between the City of Los Altos and 4LEAF in an amount not to exceed \$115,000 for inspection services for the Annual Pavement Projects and the Alley Resurfacing Project
6. Construction Contract Award: Annual Resurfacing Project and City Alley Resurfacing, Projects TS-01001 and TS-01009: Awarded the Base Bid, Add Alternate No. 1, Add Alternate No. 2 and Add Alternate No. 3 for the Annual Street Resurfacing Project and City Alley Resurfacing Project to Interstate Grading and Paving, Inc. and authorized the City Manager to execute a contract in the amount of \$2,175,413.30 and up to 15% contingency on behalf of the City
7. Resolution No. 2018-31: Sewer System Repair Program, Project WW-01001 acceptance: Adopted Resolution No. 2018-31 accepting completion of the Sewer System Repair Program, Project WW-01001 and authorized the Public Works Director to record a Notice of Completion as required by law
8. Resolution No. 2018-32: South Sewer Replacement, Project WW-01004 acceptance: Adopted Resolution No. 2018-32 accepting completion of the South Sewer Replacement, Project WW-01004 and authorized the Public Works Director to record a Notice of Completion as required by law
9. Construction Contract Award: On-call Sanitary Sewer Spot Repairs and CCTV Inspection Services: Authorized the City Manager to execute a not-to-exceed contract with C2R Engineering, Inc., in an amount not-to-exceed \$100,000 to provide on-call sanitary sewer spot repairs and CCTV inspection services
10. Design Contract Award: CIPP Corrosion Rehabilitation, Project WW-01005: Authorized the City Manager to execute an agreement on behalf of the City with Freyer & Laureta, Inc. in the amount of \$75,700 to provide design and consulting services for the CIPP Corrosion Rehabilitation, Project WW-01005
11. Professional Services Agreement: Fats, Oil and Grease (FOG) Program, Project WW-01006: Authorized the City Manager to execute an agreement with Environmental Engineering & Contracting, Inc. for an amount not to exceed \$44,825 for the first year, with an automatic renewal

for a total of five years, for inspection, education and enforcement services for the Fats, Oils and Grease (FOG) Program, Project WW-01006

## DISCUSSION ITEMS

15. Resolution 2018-34: Join Santa Clara / Santa Cruz Airport Community Roundtable: Adopt Resolution 2018-34, By-Laws and Memorandum of Understanding allowing Los Altos to join the Santa Clara / Santa Cruz Airport Community Roundtable and authorize the City Manager to execute the necessary documents

Public Comments: The following individual provided public comments: Mark (No last name given).

Action: Upon a motion by Councilmember Pepper, seconded by Councilmember Bruins, the Council unanimously adopted Resolution 2018-34, By-Laws and Memorandum of Understanding allowing Los Altos to join the Santa Clara / Santa Cruz Airport Community Roundtable and authorized the City Manager to execute the necessary documents.

The Council also appointed Mayor Mordo to serve as the Los Altos representative to the Roundtable.

12. Use Permit for Children's Corner Preschool to operate at 1555 Oak Avenue: Adopt Resolution 2018-33 to approve Use Permit 18-UP-05 (1555 Oak Avenue)

Planning Services Manager Dahl presented the permit application report.

Applicant representative Golnaz Golshan provided supplemental information to the Council.

Public Comments: The following individuals provided public comments: Mountain View resident Mac McConnell and Los Altos residents Laura Bernal, Chris Hlavka, Susan Gise and Kester Fong.

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Prochnow, the Council adopted Resolution 2018-33 to approve Use Permit 18-UP-05 (1555 Oak Avenue) by the following vote: AYES: Bruins, Lee Eng, Mordo, Prochnow; NOES: Pepper; ABSENT: None; ABSTAIN: None.

Direction:

The Council directed staff to further evaluate the Truman and Oak Avenue intersection once the preschool is in operation for approximately six months. Should mitigation measures be warranted, Council asked that resident requested suggestions be considered (use of speed humps and/or crossing guards) and that solutions and priorities be considered by Complete Streets Commission. Furthermore, residents should be notified when the study is complete.

*Mayor Mordo moved item 14 to immediately before item 13.*

14. Ordinance No. 2018-449: Development standards for off-street parking and truck loading spaces: Introduce and waive further reading of Ordinance No. 2018-449 amending Section 14.74.200, Development standards for off-street parking and truck loading spaces of Title 14, Zoning, of the Los Altos Municipal Code

Community Development Director Biggs presented the report.

Public Comments: The following individuals provided public comments: Los Altos residents David Rock, Mike Ellerin, Nancy Phillips and Bart Nelson and Los Altos Hills resident Kim Cranston.

Action: Motion made by Mayor Mordo, seconded by Councilmember Pepper, to introduce and waive further reading of Ordinance No. 2018-449 amending Section 14.74.200, Development standards for off-street parking and truck loading spaces of Title 14, Zoning, of the Los Altos Municipal Code. The motion failed by the following vote: AYES: Mordo, Pepper; NOES: Bruins, Lee Eng, Prochnow; ABSENT: None; ABSTAIN: None.

*Mayor Mordo recessed the meeting at 8:55 p.m. The meeting resumed at 9:03 p.m.*

#### **ITEM REMOVED FROM CONSENT CALENDAR**

3. Response to the Santa Clara County Civil Grand Jury Report: *Affordable Housing Crisis – Density is Our Destiny*: Approve draft response to the Santa Clara County Grand Jury Report: *Affordable Housing Crisis – Density is Our Destiny*

Action: Upon a motion by Councilmember Bruins, seconded by Vice Mayor Lee Eng, the Council unanimously approved the draft response to the Santa Clara County Grand Jury Report: *Affordable Housing Crisis – Density is Our Destiny*

#### **DISCUSSION ITEMS (CONTINUED)**

13. Los Altos Downtown Vision Plan: Adopt the Los Altos Downtown Vision Plan

Councilmember Prochnow recused herself due to a potential conflict of interest (owns property within the Downtown), stepped down from the dais and left the room.

Community Development Director Biggs presented the report. Scott Martin of RRM Design Group demonstrated the model.

Public Comments: The following individuals provided public comments: Los Altos residents Abigail Ahrens, Jenny Doyas, David Rock, Gary Hedden, Janet Harding, Curtis Powell, Connie Mariottini, Scott Hunter, Dennis Young, Jane Tanswan, Merrian Nevin, Elisabeth Ward, Jon Baer, Michael Hudnall and King Lear.

Action: Upon a motion by Councilmember Bruins, seconded by Vice Mayor Lee Eng, the Council adopted the Los Altos Downtown Vision Plan as a guiding document to which the Council can

aspire, by the following vote: AYES: Bruins, Lee Eng, Mordo, Pepper; NOES: None; ABSTAIN: Prochnow; ABSENT: None.

Vice Mayor Lee Eng requested that her questions on the draft vision document be included in the minutes. Those questions and the answers provided by the consultant are included with the minutes as Exhibit A.

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

Councilmember Pepper reported that she volunteered at the glass booth at the Los Altos Art and Wine festival and held open office hours on August 9<sup>th</sup> and 15<sup>th</sup>, 2018.

Councilmember Bruins reminded the community about the Waymo Community Forums on September 9, 2018 and October 17, 2018 and she requested that the Police Department host two community meetings to address a recent string of vehicle break-ins or add an article to the City Manager Weekly Update. She further requested that the Police Department consider publishing traffic statistics, like the City of Mountain View Police Department. She also requested that staff examine City policies related to tree removal and protection during construction projects. She further reported she attended a meeting of the Cities Association of Santa Clara Board of Directors. She further requested that the Miramonte Pathway project be added to the tentative agenda calendar.

Vice Mayor Lee Eng reported she attended the Mountain View Los Altos School District special meeting on field lights and meetings of the Complete Streets and Planning Commissions.

### *Future agenda items*

The Council request an agenda item to revisit Municipal Code Amendments addressing Development standards for off-street parking and truck loading spaces, specifically:

1. Establishing a nine-foot (9') width minimum for parking stalls but adding the ability for an applicant to request consideration for eight feet, six inches (8'6").
2. Establishing double striping as the universal standard.
3. Updating Appendix A to make it the Specification Document- redesign to address construction specifications (e.g.; striping width, how stall width is measured, drive aisle measurement, etc.)
4. Reword draft ordinance Item b (Agenda Item 14) to reflect actual intent
5. Bring forward net floor area calculation in which staff considers and evaluates a single net floor area calculation rather than 2 different calculations based on development type

Staff will consider the merits of each suggestion individually and in the fuller context of the code section.

The Council requested an agenda item to consider an ordinance or policy document banning the use of products containing glyphosate on public property.

## **ADJOURNMENT**

Mayor Mordo adjourned the meeting at 10:48 p.m.

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Jean Mordo, MAYOR

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Jon Maginot, CMC, CITY CLERK

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### Council Member 3 Questions regarding Downtown Vision Report

#### *STAFF NOTE –*

*All responses to comments listed below reference the revised document in the City Council Packet, titled “Hearing Draft” and dated August 2018. Comments followed by a \*\* can be incorporated into the final version of the document with direction from the City Council.*

1. Introduction, p. 2, second paragraph, second sentence is not grammatical English. There is either punctuation or grammar fix needed.
  - *Revised document page 2 - text revised as follows:*
    - *The purpose of the Vision Plan is to provide the Los Altos community with a vision for the future of the Downtown triangle to guide growth and development over the next 20 years. This Vision Plan acts as the guiding document for future development of the Downtown, maintaining the community’s history, values, and desired intensity of development, while also allowing for incremental change intended to facilitate a unique, vibrant village that exemplifies the exceptional character and qualities of Los Altos.\*\**

Actually, there are several places that may need work as well on this document (another example is on p. 4, the last sentence, and page 7, fourth bullet).

- *Revised document page 4 - text revised as follows:*
    - *Many of these original buildings are still in existence today, some identified on the City’s Historic Resources Inventory, and others eligible for the National Register. These buildings help to accentuate the unique character of Downtown Los Altos and should act as an inspiration to inform future development.\*\**
  - *Revised document page 7 - text revised as follows:*
    - *Include plazas that provide a central area for the community to congregate, places to provide activities for youth, and outdoor dining;\*\**
2. p. 5 – the dates of these documents should be included for clarity. For example, there have been several Parking studies/plans. Which one is referenced in the final bullet on the list?
    - *Revised document page 5 - Dates have been added.\*\**

Why isn’t the report of the Downtown Buildings Committee included in the list?

- *Revised document page 5 - Please refer to page 5.*
3. p. 14, the “Downtown Vision Statement” is a grammatical and syntactical mess. It is not apparent what the verb tenses that are used are really intended to convey. First sentence: “has flourished.” Does this mean when we look back years from now? Does it mean it has flourished over the past 20 years? The same confusion arises in the last sentence, where one doesn’t know

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if “has become” means looking back from a future point, or now. There are other examples in between.

- *Revised document page 14 – Vision Statement describes envisioned future condition of Downtown from current point in time. The statement “has flourished” should be expanded to capture the larger sentences of “...while the economic vitality of its businesses has flourished.” – referring to the future economic conditions of businesses located in the Downtown.*

*Clarifying text removed – “...at the same time...” to clarify last sentence of Vision Statement. \*\**

4. p. 19 – Is there really room for more street trees, landscaping, benches, etc. in the public ROW? The last sentence, re “long term” – “adjacent” means no parking within this district in the long term? If so, has there been analysis to show that our residents will still park in distant lots and patronize this central area?

We already find that linking with Main/State is weak to non-existent. Why try to perpetuate what we’ve said has failed?

- *Revised document page 19 – Additional comment clarification needed.*

5. p. 23 references offices on parking plazas could “help to fund fair share portions of new parking.” Is there an analysis that shows the city benefit that replaces the parking needs? Where will the rest of the needed funding come from? How do we know that this is economically feasible to business and beneficial to the city?

- *Revised document page 23 – Statement is intended to convey the idea that office tenants could pay their fair share to fund new parking facilities to pay for loss of existing spaces and construction of replacement spaces. Fees collected from ongoing parking management as well as those fees recommended within Chapter 7 could also help to pay for new parking facilities.*

re: parking plaza 9 – this seems to be pure speculation, as the private ownership of the plaza is required for the related, privately owned parcel at 127 State.

- *Revised document page 23 - Public-Private partnerships continue to have success around the state. As a potential opportunity site, the City could explore the current owners’ interest in pursuing a public-private partnership that is responsive to the owner’s needs and the City’s desired future conditions as outlined in this Vision Plan.*

6. p. 24, second to last bullet – explain?

- *Revised document page 24 - Additional height was supported by the community in the First Street and San Antonio Road District areas of the Downtown (see page 18).*

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*Recommendations on heights to be considered, based on current industry construction standards, are provided in Chapter 5, page 30.*

Last bullet – which plazas?

- *Revised document page 24 - Height is to be maintained within Edith Avenue and Main/State Street District areas (see page 18). Recommendations on heights to be considered, based on current industry construction standards, are provided in Chapter 5, page 30.*
7. p. 26 I am disappointed that the identical recommendations – which were made by the DBC – are not referenced.
    - *Revised document page 27 – Downtown Building Committee Report reference added; Additional references to the Downtown Buildings Committee report have been integrated on page 26 and 27.\*\**
  8. p. 27 That picture doesn't depict "maintaining downtown character and scale."
    - *Revised document page 29 – Conceptual image updated, please refer to page 29.*
  9. p. 28 Increased height on First Street makes no sense with it being the narrowest major street. Further, any maximum would be blown another 11+ feet by BMR incentives. This needs to be addressed.
    - *Revised document page 30 – Additional height on First Street was supported by the community. To address ongoing concerns of a "canyon effect" on First Street, additional setbacks requirements (street setback and third story setback) are proposed to create a greater feeling of openness along the corridor. See discussion on page 31.*
  10. p. 29 – Clarify that the Main and First entry is really Main and Foothill, crossing into First. All these are long recognized as key entry points and that should be acknowledged as they match other documents (reference other documents). Almost all have been recently developed – and generally judged as failures. So how do these recommendations fit against that reality?
    - *Revised document page 32 – Reference to First Street added. Reference to previous planning documents identifying these as Entry Features added.\*\**

*Per Chapter 5, page 32 – Enhancement recommendations include intersection treatments, such as paving materials, signage, unique accent landscaping, and/or public art.*
  11. p. 30 – how do we replace parking? Here's another instance of eliminating parking without ways to replace it – both on the street and in plaza 5. There is no way to supply replacement based on the proposed change to Plaza 5 (see also p. 34, especially if we "twin" the buildings and allow separate businesses on the "back" sides that face plazas).

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- *Revised document page 33 – Downtown Parking Management Plan indicated adequate capacity when considering all existing parking plazas. With proposed parking management recommendations, fees collected could be utilized to fund new parking facilities.*
12. p. 31 – This is not a realistic example – none of our paseos would be more than 100 feet long.
- *Revised document page 34 – Image shown as example of paseo concept demonstrating activities that could occur along a paseo.*
13. p. 32 – what is the support for “strongly”?
- *Revised document page 35 – Public art was supported by the community during outreach. Word “strongly” removed to minimize any assumed emphasis.\*\**
14. p. 37 Outdoor Dining – was there any economic analysis to show whether/how businesses that back onto plaza 5 (or 4 or 6) that would be allowed to have outdoor dining would contribute to replacing the lost parking?
- *Revised document page 41 – Many properties backing onto Parking Plaza 5 currently do not maximize the FAR allowed under the Zoning Ordinance. These property owners could choose to integrate outdoor dining on their own properties without the need to remove parking, where the context allows. More extensive outdoor dining interventions would likely not occur until Mid-Term (5-10 Years) when the Downtown Central Plaza Short-Term is implemented.*
15. p. 44 – Roundabout – evidence of “strong” support? I’ve heard the opposite. Any cost or traffic analysis?
- *Revised document page 44 – Additional cost and traffic analysis will be conducted if/when roundabout concept is carried forward at a future date in time.*
16. p. 45 – What is the width of the example and how does that compare with the very narrow Second and Third Streets that are as little as 25 feet.
- *Revised document page 48 – Example shown estimated +/-40 feet (ROW). Second and Third Streets right-of-ways average between 40 to 50 feet per 2018 measurements.*
- What is the benefit of having only 2 blocks long that each terminate in regular streets? What happens at those interfaces?
- *Revised document page 49 – Two block lengths intended to connect to parking, live theater, and other activity areas located off Main/State Streets, to further create focus in central location of Downtown and provide connection to proposed central plaza. Interfaces would transition back to current ROW conditions.*

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17. Is it realistic for Second and Third to be used preferentially to First Street for bikes? What analysis supports that this would work as a better bikeway through town?

- *Revised document page 50 – Regular bicyclists in town who participated in community outreach expressed frustration with lack of safety along First Street. Second and Third Streets provide adjacent, parallel options with less traffic while maintaining direct route to cross San Antonio.*

18. p. 48 Isn't there an existing streetscape plan for the south end of First Street? I recall this was at least mentioned or recommended in the DBC report and should be referenced.

- *Revised document page 54 – Yes, existing streetscape plan acknowledged in revised document, see page 54. Recommendation to build off this effort to include the northern portion of First Street also included.*

19. p. 49 The macro trends described don't seem to apply where parking is increasingly problematic. Why should we do what is "more consistent with other comparable cities"? Shouldn't we do what we need? The last sentence is unsupported. The Parking Management Plan does not recommend reducing parking requirements.

- *Revised document page 55 – As noted in Chapter 2, page 10, competition between cities to attract business continues to increase while prescriptive parking regulations inhibit incremental change. Comparable cities have already revised parking regulations to reduce the spatial and cost constraints placed on individual property owners related to parking to continue to allow for incremental change by providing parking alternatives, such as in-lieu fees and city managed parking infrastructure.*

*Clarifying text added: "In addition to this Vision Plan, priorities identified in Downtown Parking Management Plan..." \*\**

20. p. 50 There are 2 "At Grade Parking Lots" remaining. Everything seems to go away. However, most of plaza 9 is not owned by the city and is devoted to serving a single, large parcel. So, we would end up with one, tiny at-grade lot (plaza 10). Is there any evidence to suggest that this is acceptable to our community?

- *Revised document page 56 – Chapter 4, page 23 recommends City investigate possibility of public/private partnership with owner of Plaza 9 in support of Vision Plan. Per Vision Plan (page 15), a portion of Parking Plaza 7 would be maintained as an at-grade lot. Plaza 10 is shown as at-grade lot on Vision Plan (see page 15). While not specifically identified for a specific use, this parking plaza could hypothetically support many of the identified uses if it supported the larger vision for Downtown.*

Of the 775 "new" parking spaces, are those in addition to the (unmentioned) existing spaces in the downtown triangle? If not, how many are replacements for spaces lost to suggested

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development in this plan and how many are “new” to account for new/increased development?  
How did you arrive at that number?

- *Revised document page 56 – Based on anticipated build-out of Vision Plan, a total of 1,620 structured spaces would need to be constructed, not 775 spaces. This number reflects the total anticipated parking need for current and future growth within the parking district, including existing displaced on- and off-street spaces.*

*Revised text added: “In total, the City should anticipate the need to construct a total of 1,620 new above ground and underground parking spaces...”\*\**

21. p. 51 What would the City have to contribute to the \$25,000/space paid by business in lieu to build the spaces? Is that realistic?

- *Revised document page 57 – See Economics and Fiscal Evaluation of Alternative Visions for Downtown Los Altos in document Appendix for further discussion on in-lieu fee amount.*

22. p. 52 There is no evidence regarding such change in the parking reports. Hotel and theater parking needs to be fully developed with a cost/benefit analysis. Note per Chapter 9, that parking infrastructure is 10+ years out, but the reduction in parking would mostly happen in the first 10 years. How would that work?

- *Revised document page 58 – Per Chapter 9, page 62, construction of parking facilities located in Phase 2: Mid-Term (5-10 Years). Some on-street and off-street parking spaces may be removed during Phase 1: Short-Term (1-5 Years) due to implementation of “Downtown Dining Hub” concept. However, installation of the Downtown Central Plaza Short-Term Vision (Parking Plaza 5) is not identified until Phase 2: Mid-Term (5-10 Years) when the Construction of Parking Facilities is also identified.*

23. p 56-57 Central plaza for plaza 6 is not listed in phase 3, but text seems to indicate that is when you recommend it occur.

- *Revised document pages 62-63 – Second bullet point under Phase 3: Long-Term updated to clarify “Downtown Plaza Long-Term Vision” to refer to Parking Plazas 4 and 6.\*\**

24. p. 60 Poster A and B street sections are not to scale. This must be fixed.

- *Revised document page 67 – Street section dimensions verified. Vision Poster revised with callouts for First Street Section.*

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### Council Member 2 Questions:

#### Item 4:

- Is the letter from the LALC Representative an attachment to the Use Permit? The letter sets expectations with respect to type of program, target group, number of sessions, etc. and serves as the representation of what the programs are that we are permitting, therefore they should be incorporated either by adding a condition referencing the programs as described in the attachment or through additional enumerated conditions.
- My preference is incorporation of the letter. May I suggest: *“This use permit maintains the conditions required under Use Permit 10-UP-01 approved April 26, 2016 and is based upon the plans and materials received on May 23, 2018, except as modified below.”*
- Otherwise we should enumerated the attributes of the programs, for example:
  - Music Program is a small group program for children under the age of X
  - Music Program may operate up to X classes per day
  - etc. etc.

*Answer – Yes, the letter is an attachment to the use permit. A revised Resolution is attached with this email that incorporates plans and materials received May 23, 2018 – this is indicated in blue in the attached resolution.*

#### Item 5:

- How many proposals did we receive?
- Is this something that we could streamline by having a prequalified bench of service providers (i.e. a more responsive process than an RFP)?

The City issued an RFP for on-call construction inspection services in April of 2018, received five proposals, and short-listed two firms (Belleci and Associates and 4Leaf Inc.) as service providers. On a project by project basis the project manager evaluates the scope of services needed, which of the two firms is most appropriately suited for the type of work and has availability of qualified inspectors, and requests a cost proposal. An individual agreement for the project is then executed. 4Leaf Inc has been identified as the most qualified firm to provide inspection services for the paving project.

#### Item 7:

- I must be dense, I still don't know what “contingency” means. What triggers the use of contingency funds vs. just showing the construction as being over budget?

Contingency is used to fund change orders during construction that can arise from a number of reasons. Primarily, change orders arise from unforeseen conditions, owner/City requested changes, or bid item over runs (e.g. asphalt is paid for by the ton placed regardless of bid quantities). Budgeting contingency into a project's overall cost is important as it will prevent potentially delaying construction activities until additional funds can be appropriated.

#### Item 11: FOG Program

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- What is the inspection frequency? **Annually** Are 100% of food services inspected annually? **Yes** Semi-annually? **No** Return inspection if problems identified? **Yes, the consultant is always required to return to the FSEs if follow-up visits are needed after the initial inspection is performed.**
- Bid amount for the other responsive bidder? **The City advertised the FOG Program through an RFP process. Two proposals were received. The fee proposal of the other consulting firm that was not selected was \$59,500.**
- Please clarify the term of agreement. Staff report uses various terms to describe intent beyond the first year — "optional ongoing agreement" (pg.1), "automatic renewal" (pg.2), ""approves execution of the new agreement and the four future amendments for continuation of the FOG program through the five-year period " (pg. 4). What is the actual language in the agreement? Is it a one-year agreement with the option to extend up to 4 times for a total of five years? **It is a one-year agreement and the City will prepare four amendments for each fiscal year after the first year, if there are no issues with the consultant's performance.**
- What are the financial terms beyond year one? **EEC will provide a fee proposal that reflects the inflation adjustments.** Do they provide a new quote each year? **Yes** Is there a not to exceed limit year over year? **Yes, correct. It can't not exceed the adopted project budget. Typically the fee proposal is similar to the previous year, but it reflects an increase adjustment for inflation.**

### Item 12: Conditional Use Permit for Children's Corner

- Provide accident/incident statistics for the intersections of Oak/Truman, Oak/Grant and Truman/Fremont?

Oak/Truman      2 collisions

Oak/Grant        9 collisions

Truman/Fremont 13 collisions

The report covers January 1, 2012 through July of 2018. We can provide more detailed information, if necessary.

### Item 15: Airport Roundtable

- What is the expected financial differential to be with San Jose choosing not to participate?

*If Los Altos participates, along with the other 7 cities that have committed, our portion of the cost is estimated at \$16,500. This would be the maximum that we would anticipate. Every agency other than San Jose participates, the cost allocated to Los Altos is expected to be \$5,600.*

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### Questions from Council Member #3:

#### 1) Agenda Item 4 – Use Permit for 460 S. El Monte after school and music program

The staff report says they have a permit for a pre-school for 30 students from 8 am to 6 pm. Does that actually operate now? (This is the Lutheran church at the corner of El Monte and Cuesta that I thought might be a possible option for Children's Corner, as I have never seen any kids there for a preschool. But maybe they're there when I'm not around.)

RESPONSE – Yes, the preschool is currently being operated at this site.

#### 2) Agenda Item 12 - Use permit for Children's Corner Preschool at 1555 Oak Avenue

The applicant's traffic engineer, Ling Li "noted that the Truman/Bryant and Truman/Oak intersections have less traffic than Grant Road, so based on the finding that the Grant Road was not impacted, these intersections did not require further study." The traffic study did not look at the affected intersections: Truman/Bryant and Truman/Oak. Why not? What kind of traffic study is that? Why weren't the affected streets studied? The supplemental letter of August 14 says ""Truman Avenue is a minor street compared to Grant Avenue. The intersections along Truman Avenue can be assumed to experience less traffic and therefore to operate at an acceptable LOS". I can't believe the city would accept such a bogus report.

RESPONSE –

Since the Foothill Covenant Church parking lot has driveway access to both Oak Avenue and Truman Avenue, it is anticipated that vehicles entering and exiting the site will use Truman Avenue when driving north and Oak Avenue when driving west, but will contribute very few vehicle trips into the Oak/Truman intersection during the AM peak hour. This trip pattern was documented in the traffic analysis for the Mt View Parent Teacher Nursery School, which was approved in 2014. The Hexagon TIA used this information, but could have done a better job articulating the basis for this finding. In addition, based on the pick-up and drop-off data provided by Children's Corner, the use will not generate a significant number of trips during the AM peak hour, with the majority of the trips occurring throughout the rest of the day when there is not a lot of traffic on Oak and Truman.

Who are the letters of support from in this agenda item? Are any of them Los Altos residents? How many of them are from parents or other related parties of the Children's Corner Preschool?

RESPONSE - I have reached out to the applicant for clarification but have not yet heard back, however, it is assumed that most of the letters in support of Children's Corner are from current or former parents.

3) Agenda Item 14 - parking standards. If there is concern about the parking space sizes, then could we run a pilot, with a temporary parking area where people can try out the parking sizes and provide feedback?

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For example, what are the sizes of the parking spaces at the Safeway parking lot?

RESPONSE – We could, but it may be easier to visit a neighboring City with these parking width standards and see how they function.

The parking spaces in the Safeway lot are 9' wide by 18' – the current standard.