

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD ON TUESDAY, NOVEMBER 12, 2019,
BEGINNING AT 7:00 P.M. AT LOS ALTOS YOUTH CENTER, 1 NORTH
SAN ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

ESTABLISH QUORUM

PRESENT: Mayor Lee Eng, Vice Mayor Pepper, Councilmembers Bruins, Enander and Fligor

ABSENT: None

PLEDGE OF ALLEGIANCE

Girl Scout Brownies, Troop 60762 led the Pledge of Allegiance to the flag.

CLOSED SESSION ANNOUNCEMENT

1. Public Employment - Title: City Attorney
Pursuant to Government Code Section 54957
2. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *Loyola Corners Estates, LLC; Gregg Bunker; Burke Kaltenberger v. City of
Los Altos*
Superior Court of the State of California, County of Santa Clara
Case No. 115CV287198

Mayor Lee Eng announced that no action was taken during the closed session.

CHANGES TO THE ORDER OF THE AGENDA

There were no changes to the order of the agenda.

SPECIAL PRESENTATION

Mayor Lee Eng presented proclamations honoring Los Altos residents Donna and John Shoemaker, Mady and Mel Kahn, Russ Satake, and Carol Stratford for their outstanding leadership of fundraising efforts in support for the building of the El Camino Hospital Taube Pavilion and Scrivner Center.

SPECIAL ITEM

Dr. Nellie Meyer presented an update on Mountain View-Los Altos Union High School District improvements.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided public comments: Lexi Crilley, Gary Hedden, Ryan Blake and Myra Orta.

CONSENT CALENDAR

Councilmember Enander pulled items number 1 and 2.

Action: Upon a motion by Councilmember Enander, seconded by Vice Mayor Pepper, the Council unanimously approved the Consent Calendar, with the exception of items number 1 and 2, as follows:

1. Rental Fee Waiver Request by the Rotary Club of Los Altos: Approval of a rental fee waiver in the amount of \$2,592 per fiscal year for the Rotary Club of Los Altos for extended use of the Garden House by one hour per week – *Pulled for discussion (see page 2 below)*.
2. Purchase of vehicle barrier safety system: Authorize the City Manager to purchase a vehicle barrier system and trailer for pedestrian protection and event safety at Downtown festivals on a sole source basis – *Pulled for discussion (see page 2 below)*.
3. Building Code Amendments: Introduced and waived further reading of Ordinance No. 2019-464 to repeal and reenact the Building and Construction Code, Title 12 of the Los Altos Municipal Code, adopting, by reference the 2019 California Code of Regulations, Title 24, with added local amendments and set the date for the public hearing for adoption.

ITEMS PULLED FROM CONSENT CALENDAR

1. Rental Fee Waiver Request by the Rotary Club of Los Altos: Approval of a rental fee waiver in the amount of \$2,592 per fiscal year for the Rotary Club of Los Altos for extended use of the Garden House by one hour per week

Public Comments: The following individuals provided public comments: Roberta Phillips and Kathryn Berry.

Action: Upon a motion by Vice Mayor Pepper, seconded by Councilmember Bruins, the Council approved a rental fee waiver in the amount of \$2,592 per fiscal year for the Rotary Club of Los Altos for extended use of the Garden House by one hour per week, by the following vote: AYES: Bruins, Fligor and Pepper; NOES: Enander and Lee Eng; ABSTAIN: None; ABSENT: None.

2. Purchase of vehicle barrier safety system: Authorize the City Manager to purchase a vehicle barrier system and trailer for pedestrian protection and event safety at Downtown festivals on a sole source basis

Public Comments: The following individuals provided public comments: Myra Orta and Roberta Phillips.

Direction: The Council directed staff to explore alternatives to purchasing the vehicle barrier system and trailer including potentially renting the equipment to determine functionality for the City.

ITEMS FOR DISCUSSION/ACTION

4. R3-4.5 Zoning amendments Introduce and waive further reading of Ordinance No. 2019-467 to amend Chapter 14.16 of the Los Altos Municipal Code regarding the R3-4.5 Multiple-Family District

Community Development Director Biggs presented the report.

Paul Lovoi presented the application.

Public Comments: The following individuals presented public comments: Michelle Machado, Solei Sochi and Terri Brooks.

Paul Lovoi presented the rebuttal.

Action: Upon a motion by Councilmember Fligor, seconded by Vice Mayor Pepper, the Council introduced and waived further reading of Ordinance No. 2019-467 to amend Chapter 14.16 of the Los Altos Municipal Code regarding the R3-4.5 Multiple-Family District with the following amendments: 1) strike Section 14.16.050.B; 2) add to Section 14.16.070 that the unit size of the smaller of the two units shall be no less than 900 square feet; 3) change Section 14.16.080 to state that setbacks for property lines abutting Homestead Road, Stevens Place, Marshall Court Frontage or an R1-10 District shall be 20 feet; 4) change Section 14.16.090 to state that no structure shall exceed one story and to add a new subsection B to state that “on lots with two-story structures as of December 10, 2019, no structure shall exceed two stories or twenty-seven (27) feet in height from the natural grade;”, by the following vote: AYES: Enander, Fligor, Lee Eng, Pepper; NOES: Bruins; ABSTAIN: None; ABSENT: None.

6. Mills Act agreement with the property owners for 210 Alta Vista Avenue: Move to adopt Resolution No. 2019-47 authorizing the City Manager to execute a Mills Act agreement with the owners of 210 Alta Vista Avenue (Taken out of order)

Kater Cuervo presented the application.

Public Comments: The following individual provided public comments: Gary Hedden and Greg Evard.

Action: Upon a motion by Vice Mayor Pepper, seconded by Mayor Lee Eng, the Council unanimously adopted Resolution No. 2019-47 authorizing the City Manager to execute a Mills Act agreement with the owners of 210 Alta Vista Avenue.

5. 4350 El Camino Real Story Pole Exception: Review and Determine Appropriate Action. The agenda packet contains alternative resolutions, either of which could form the basis for a City Council decision depending upon the findings and determinations of the City Council based upon

the evidence presented. Specifically, a Resolution that contains draft findings to support the granting of the story pole exception request is included as Attachment 1 and a Resolution that contains draft findings to support the denial of the story pole exception request is included as Attachment 2.

Alex Siddel presented the application.

Public Comments: The following individual provided public comments: Eric Steinle.

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Enander, the Council unanimously continued review of the story pole exception request and directed the applicant to return with a proposal that addresses the concerns raised by Council, including more story poles that indicate the corners, height and bulk and mass of the building, photo-realistic and human-eye realistic renderings and community outreach.

7. Regular City Council Meeting Start Times: Adopt Ordinance 2019-465 Amending Chapter 2.04 of the Los Altos Municipal Code. Introduce and waive further reading of Ordinance No. 2019-465 Amending Chapter 2.04 of the Los Altos Municipal Code regarding the starting times for Regular City Council Meetings

Public Comment: The following individual provided public comments: Freddie Wheeler.

Direction: The Council directed that staff revised the draft ordinance to accurately reflect the intent of the ordinance and to return with more precise language.

COUNCIL/STAFF REPORTS AND DIRECTION ON FUTURE AGENDA ITEMS

Vice Mayor Pepper reported she attended a neighborhood meeting on November 9, 2019.

Councilmember Fligor reported she attended meetings of CHAC, the Santa Clara County Housing and Development Advisory Committee and the Grand Boulevard Initiative. She also reported she attended the opening of the El Camino Hospital Mental Health Facility.

Mayor Lee Eng reported she attended the Los Altos High School Homecoming Parade and the CERT graduation.

ADJOURNMENT

Mayor Lee Eng adjourned the meeting at 11:51 p.m. to a closed session.

Lynette Lee Eng, MAYOR

Jon Maginot, CMC, CITY CLERK