



**MINUTES OF THE REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF LOS ALTOS
TUESDAY, OCTOBER 13, 2020
HELD VIA VIDEO/TELECONFERENCE**

MEETING CALLED TO ORDER

At 7:26 p.m., Mayor Pepper called the meeting to order.

ESTABLISH QUORUM

Present: Mayor Pepper, Vice Mayor Fligor, Council Members Bruins, Enander and Lee Eng
Absent: None

REPORT ON CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *California Renters Legal Advocacy and Education Fund, San Francisco Bay Area Renters Federation, Victoria Fierce, and Sonja Trauss v. City of Los Altos, et al. Sixth District Court of Appeal Case No HO48270, County of Santa Clara Case No. 19CV350422*
2. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *40 Main LLC v City of Los Altos et al. Sixth District Court of Appeal, Case Number H048270 County of Santa Clara Case No. 19CV349845*
3. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *Satish Ramachandran v. City of Los Altos, et al. United States District Court, Northern District of California Case No. 5:18-cv-01223-HRL*
4. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *Satish Ramachandran v. Best, Best and Krieger, a limited liability Partnership; Christopher Diaz; Christina Hickey; Kirk Ballard; David Kornfeld; Christopher Jordan; Pamela Jacobs, and Does 1-20 United States District Court, Northern California District Case number: 5:20-cv-03963-NC*
5. Public Employment: City Manager Performance Review
Pursuant to Government Code Section 54957 (b) and 54947.6

Mayor Pepper reported that the City Council met in closed session prior to this meeting and discussed only items # 3 and # 4 - Ramachandran Case number: 5:20-cv-03963-NC and Case No. 5:18-cv-01223-HRL. She stated that there was no action taken and nothing to report.

SPECIAL ITEMS

- A. Commission Appointments: Appoint individuals to fill vacancies on the Complete Streets Commission, Historical Commission, and Planning Commission.

Mayor Pepper announced that this item would be deferred to the October 27, 2020 City Council Meeting.

- B. Task Force Appointments: Appoint individuals to serve on Police Task Force (A. Chelemengos)

Mayor Pepper and Vice Mayor Fligor proposed a list of 9 nominees. Discussion commenced. Each Council Member emailed the names of their 9 nominees. Deputy City Manager reported that 10 individuals had received votes from a majority of the Council, and he announced the 10 names.

Mayor Pepper moved that the following individuals be appointed to serve on the Citizen Police Task Force: Jeanine Valadez , Aradhana Sinha, Janet Corrigan, Harvey Jang, Moira Huang, Toni Moos, Robert Curtis Cole, Renee Rashid, John Fennell and that Annie Rogaski be appointed as alternate. The motion was seconded by Vice Mayor Fligor and the motion passed 5-0 with the following roll call vote:

AYES: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor, and Mayor Pepper.
NOES: None
ABSENT: None
ABSTAIN: None

CHANGES TO THE ORDER OF THE AGENDA

There were no changes made to the order of the agenda

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following members of the public provided comments: Roberta Phillips, Clare Luna and Ludka Nesbit.

CONSENT CALENDAR

Council Members Lee Eng and Enander removed Item # 4. *Contract Amendment No. 4 to the Agreement between the City of Los Altos, California and Noll and Tam Architects for the additional Design / Professional Consulting Services for Hillview Community Center Redevelopment Project CF-01002.*

1. Council Minutes: Approve the minutes of the September 22, 2020 Regular Meeting
2. Resolution No. 2020-36: Conflict of Interest Code: Adopt Resolution No. 2020-36 amending the City of Los Altos Conflict of Interest Code

3. Award Contract: Authorize the City Manager to execute a not-to-exceed contract with C2R Engineering, Inc., in the amount of \$100,000 to provide on call sanitary sewer spot repairs and CCTV inspection service
5. Quarterly Investment Portfolio Report Quarter Ended March 31, 2020: Approve quarterly investment portfolio report for the quarter ending March 31, 2020
6. Quarterly Investment Portfolio Report Quarter Ended June 30, 2020: Approve quarterly investment portfolio report for the quarter ending June 30, 2020

Council Member Lee Eng moved to approve the Consent Calendar Items 1-3 and 5-6. The motion was seconded by Council Member Enander and the motion passed (5-0) with the following roll call vote:

AYES: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor, and Mayor Pepper.
NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC HEARINGS

7. Repeal and Replace Chapter 14.14 of the Los Altos Municipal Code (Accessory and Junior Dwelling Units) by adopting Zoning Text Amendment 20-0001:
Hold Public Hearing and Introduce and waive further reading of an Ordinance repealing and replacing Chapter 14.14 of the Los Altos Municipal Code (Accessory and Junior Dwelling Units) by adopting Zoning Text Amendment 20-0001

Guido Perscone, Planning Services Director, provided a staff report and answered questions from the Council.

Mayor Pepper opened the Public Hearing.

Clare Luna provided public comment.

Since there was no one else wishing to speak, Mayor Pepper closed the public Hearing.

Council Member Bruins moved that the City Council introduce and waive further reading of the proposed Ordinance No. 2020-473. The motion was seconded by Council Member Lee Eng. The motion passed 5-0 with the following roll call vote:

AYES: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor, and Mayor Pepper.
NOES: None
ABSENT: None
ABSTAIN: None

Council Member Bruins moved that the City Council Adopt Zoning Text Amendment 20-0001 and make the findings that the project is exempt from CEQA per Section 21080.17 of the Public Resources

Code. The motion was seconded by Council Member Lee Eng. The motion passed 5-0 with the following roll call vote:

AYES: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor, and Mayor Pepper.
NOES: None
ABSENT: None
ABSTAIN: None

Council Member Bruins moved that the City Council amend the Master Fee Schedule to reduce the ADU permit fees for accessory dwelling units for a period of twelve (12) months after final adoption by the City Council of the ordinance. The motion was seconded by Council Member Lee Eng. The motion passed 5-0 with the following roll call vote:

AYES: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor, and Mayor Pepper.
NOES: None
ABSENT: None
ABSTAIN: None

Council Member Bruins moved that the City Council direct staff to prepare an annual ADU rental income survey to be released no later than September 1st of every calendar year, and to collect said data and to report this information to State HCD for purposes of meeting the City's RHNA Housing Element figures. The motion was seconded by Council Member Lee Eng. The motion passed 5-0 with the following roll call vote:

AYES: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor, and Mayor Pepper.
NOES: None
ABSENT: None
ABSTAIN: None

At 9:09 p.m. Mayor Pepper called for a break. The meeting was reconvened at 9:14 p.m.

8. Los Altos Emergency Operations Center (D20-0001): Hold Public Hearing to consider the Planning Commission's recommendation for Design Review approval subject to the recommended findings and conditions of a new detached Emergency Operations Center of approximately 1,541 square feet for the Los Altos Police Department. The project is exempt from environmental review as in-fill development in accordance with Section 15332 of the California Environmental Quality Act of 1970 as amended.

Guido Perscone, Planning Services Director, provided a staff report and answered questions from the Council.

Jim Sandoval, Engineering Services Director, Sharif Etman, Administrative Services Director, and Jeff Katz, Project Architect, were called on to answer questions from the Council.

The following members of the public provided comments: Harry Guy, Jim Clark, and Roberta Phillips.

Council discussion commenced. Staff was provided feedback on the size and design.

Upon motion of Council Member Enander, seconded by Council Member Lee Eng, Council referred the matter back to staff for identification and reevaluation of the programming for the proposed building and reconsideration of the size and directed staff to work with the local Amateur Radio Operators (HAM) as well as key staff members for their input on the use and size of the building and then bring the matter back before the Council along with information on financing of the construction of the E.O.C. The motion passed 5-0 with the following roll call vote:

AYES: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor, and Mayor Pepper.
NOES: None
ABSENT: None
ABSTAIN: None

4. Resolution No. 2020-37 -425 First Street Modification of Design Review Approval: Hold Public Hearing to consider the request for a modification to the approved 20-unit residential project located at 425 First Street. The modification includes replacing the two-level underground parking with one level of underground parking including a mechanical parking lift system. A Categorical Exemption (Class 32 – Infill Development) was previously adopted per the California Environmental Quality Act (CEQA) and the proposed modification will not materially change the project or CEQA determination. (S. Golden)

Steve Golden, Senior Planner, provide a staff report and responded to questions from the Council.

Jeff Warmoth, applicant, answered questions from the Council.

Mayor Pepper opened the Public Hearing.

Jon Baer provided comments.

Since there was no one else wishing to speak. The Public Hearing was closed.

Council Member Bruins moved that the City Council adopt Resolution No.2020-37 Approving A Request For An Affordable Housing Development Incentive For A Development Project Modification (Mod20-0005) At 425 First Street with the addition of a condition requiring the installation of 20 Electric Vehicle charging receptables in the garage of the structure. The motion was seconded by Vice Mayor Fligor and the motion passed 5-0 with the following roll call vote:

AYES: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor, and Mayor Pepper.
NOES: None
ABSENT: None
ABSTAIN: None

There was council consensus to consider Agenda Item #11 next.

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11. Community Center Construction Financing: Authorize the City Manager and Council to pursue an agreement for a \$10M loan on behalf of the City with Sterling National Bank. Staff will return to Council with the final agreement and resolution for approval.

Sharif Etman, Administrative Services Manager, provided a report to the Council and answered questions.

Council Member Lee Eng moved that the City Council Authorize the City Manager to pursue an agreement for a \$10M loan on behalf of the City with Sterling National Bank. And to return to Council with the final agreement and resolution for approval. The motion was seconded by Mayor Pepper and the motion passed 5-0 with the following roll call vote:

AYES: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor, and Mayor Pepper.
NOES: None
ABSENT: None
ABSTAIN: None

Due to the late hour the following matter were deferred to the October 27, 2020 City Council Meeting:

Consent Calendar Item #4 Contract Amendment No. 4 to the Agreement between the City of Los Altos, California and Noll and Tam Architects for the additional Design / Professional Consulting Services for Hillview Community Center Redevelopment Project CF-01002.

Discussion Item #12 Tentative Council Calendar: Quarterly Review of Tentative City Council Work Calendar were deferred to the October 27th meeting.

10. Resolution No. 2020-35 Park In-Lieu Fees: Hold Public Hearing and adopt Resolution No. 2020-35, modifying Park In-Lieu Fee on the FY 2020/21 Fee Schedule for the City of Los Altos. Proposed Los Altos Park In-Lieu Fees were calculated pursuant to Section 13.24.010 of the Los Altos Municipal Code. The updated calculations and the supporting land appraisal report were filed with the City Clerk of the City of Los Altos on September 29, 2020.

Council Member Enander moved the City Council continue the Public Hearing on the matter of the Park In-Lieu Fees to the meeting of October 27, 2020. The motion was seconded by Council Member Bruins and the motion passed 5-0 with the following roll call vote:

AYES: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor, and Mayor Pepper.
NOES: None
ABSENT: None
ABSTAIN: None

INFORMATIONAL ITEMS ONLY

- Legislative Update: Discuss pending legislation and direct staff accordingly
- Quarterly Report on City Manager approved contracts between \$50,000-75,000

There was no discussion on the informational items.

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Council Member Lee Eng, Enander and Bruins supported placement of the matter of a Finance Ad Hoc committee for discussion on the next agenda.

Council Members reported on their various Commission/Committee assignments.

City Manager Jordan reported on administrative matters

ADJOURNMENT

At 12:34 a.m., October 14, 2020, Mayor Pepper adjourned the meeting.

Janis C. Pepper, MAYOR

Andrea M. Chelemengos MMC, CITY CLERK