



AMENDED 4.12.2021

**MINUTES OF THE REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF LOS ALTOS
7:00 P.M., TUESDAY, MARCH 23, 2021**

HELD VIA VIDEO/TELECONFERENCE

MEETING CALLED TO ORDER

At 7:00 p.m., Mayor Fligor called the meeting to order.

ESTABLISH QUORUM

Present: Mayor Fligor, Vice Mayor Enander, Council Members Lee Eng, Meadows, and Weinberg
Absent: None

PLEDGE OF ALLEGIANCE TO THE FLAG

Sara Fligor led the Council in the Pledge of Allegiance.

REPORT ON CLOSED SESSION

Mayor Fligor reported that there was no Closed Session held and therefore nothing to report.

SPECIAL ITEM

- Presentation by CHAC

Marsha Deslauriers, Executive Director of CHAC, gave a presentation on the services provided to the community by CHAC, discussed the impacts of the pandemic on the community and the services provided by CHAC as a response to the pandemic. Ms. Deslauriers also answered questions from the Council.

The Council thanked Ms. Deslauriers for her presentation and for the assistance the organization provides to the community.

Mayor Fligor requested that a resolution denouncing ongoing violence against Asian American community members be added to the orders of business as an urgency item under Government Code Section 54954.2 in response to the recent rise in the occurrence of hate crimes against people of Asian American decent. She noted that the matter did not make it on the agenda to allow for the required 72 hour posting requirement, but that a draft of the proposed resolution had been sent to the Council Members for review.

Mayor Fligor moved to add the matter (described above) to the orders of business. The motion was seconded by Council Member Lee Eng and the motion passed with the following roll call vote:

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

CHANGES TO THE ORDER OF THE AGENDA

Council Member Lee Eng moved to place consideration of the proposed resolution denouncing ongoing violence against Asian American community members immediately following the Public Hearing (Agenda Item #8). Mayor Fligor seconded the motion. The motion passed, 5-0, with the following roll call vote:

AYES: Council Members Lee Eng, Meadows, Weinberg, Vice Mayor Enander, and Mayor Fligor
NOES: None
ABSENT: None
ABSTAIN: None

There were no other changes to the order of the agenda.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals commented: Toni Moos, Frank Martin, Tara Dhillon, Nathaniel Morris, Evelyn Wonkler, Pete Dailey, Maureen Griffin, Scott Spielman (with time ceded from Roberta Phillips, Freddie Parks and Al Rooney), Renee Rashid (with time ceded from Aisha Rashid), Terri Couture, Tanya Maluf, Amber Joy, Jeanine Valadez, Kevin, Karen Solpon, Jill Woodford, Salim, Christine Yum Lenz, Katty, Bridgid Madden, Ken, Betsy Schmitt, Mike Abrams, Seth Moos and Anita Kapadia.

Council Member Weinberg commented on misinformation he had relative to a matter on the March 9th agenda and statements he made during the meeting based on the misinformation. He apologized, to Mr. Spielman, to the Council and to the community the Council and Mr. Spielman, for the misunderstanding and his comments and thanked those who had brought the matter to his attention.

CONSENT CALENDAR

1. Council Minutes: Approve the Minutes of the March 9, 2021 Regular Meeting, as corrected
2. Professional Services Agreement: Temporary Office Assistance Services: Authorize the Interim City Manager to execute a professional services agreement with Robert Half International Inc. in an amount not to exceed \$100,000 each fiscal year for Fiscal Years 2019/20 and 2020/21 (\$200,000 total) for temporary office assistance services.

3. Resolution No. 2021-13 Equal Pay Day March 21, 2021: Adopt Resolution Acknowledging March 24, 2021 as Equal Pay Day 2021 and Resolving To Ensure Pay Equity Standards In The City Government And To Encourage Pay Equity Standards Throughout The City’s Business Community
4. Annual Development Impact Fees Report for Fiscal Year 2020(AB 1600): Receive the Annual Report on Development Impact Fees for Fiscal Year 2020
5. Quarterly Investment Portfolio Report – Quarter Ended December 31, 2020: Receive the Investment Portfolio Report through December 31, 2020
6. Resolution No. 2021-16: Approving Fiscal-year 2020-21 Mid-year Financial Update, budget adjustments, and updated Salary Schedule: Adopt Resolution No. 2021-16, approving the Fiscal-year 2020-21 Mid-Year Financial Update, budget adjustments, and updated Salary Schedule, including assignment of fund balance as outlined.

Council Member Lee Eng requested that Agenda Item #3 Resolution No. 2021-13 Equal Pay Day be amended so that the resolution title reads “Resolution Of The City Council Of The City Of Los Altos Acknowledging March 24, 2021 As Equal Pay Day For Women And Resolves To Ensure Pay Equity Standards In The City Government And To Encourage Pay Equity Standards Throughout The City’s Business Community”.

There were no objections to the suggested change.

Vice Mayor Enander suggested, also with regard to Item #3, that the second paragraph be amended to read as follows: “Whereas, the City of Los Altos supports legislation that will help close the pay gap by eliminating loopholes in the Equal Pay Act; and”

There were objections to the amendment.

There were no members of the public wishing to comment on the Consent Calendar.

Vice Mayor Enander moved that the City Council approve the Consent Calendar, as amended. The motion was seconded by Mayor Fligor and the motion passed 5-0 with the following roll call vote:

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

PUBLIC HEARINGS

7. Resolution No. 2021-14 19-UP-02 - Los Altos Chinese School - 461 Orange Avenue: Hold Public Hearing and adopt Resolution No. 2021-14 granting City Council approval of a conditional use permit (CUP) for a new Chinese immersion school / educational program and an after-school program to use existing classrooms at the Foothills Congregational Church. The programs would include up to 75 students and operate between 12:00 pm to

6:00pm, Monday to Friday. This is a conditional use permit and is exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act Guidelines, as amended, because it involves the occupancy of an existing religious institution classroom building, involving negligible expansion of use.

Associate Planner Gallegos provided a staff report and answered questions from the Council as did Community Development Director Biggs.

Council Members disclosed ex parte communications.

Applicant John Miller provided information on the application and answered questions from the Council.

Mayor Fligor noted the hour and after conferring with Council and staff announced that **Agenda Item # 11. Resolution No. 2021-15 Housing Element Annual Status Report** would be continued to the April 13, 2021 City Council meeting.

Mayor Fligor opened the Public Hearing on Resolution No. 2021-14 - 19-UP-02- Los Altos Chinese School - 461 Orange Avenue - Conditional Use Permit (CUP) Application.

The following individuals commented: Stacey Walter, Stephen Brown, Dave Hurd, Mark Homan, Parisa, Branimir, Rosanna, Daryl Shafran, Michael Shafran, Wendy Reynolds, Roy Wang, and Jon Baer.

At 9:53 p.m., Mayor Fligor called for a brief recess. At 10:00 p.m. the meeting was reconvened.

Since there were no other members of the public wishing to speak, Applicant John Miller provided closing comments and answered additional question from the Council.

Mayor Fligor closed the Public Hearing at 10:05 p.m.

City Attorneys Houston provided clarifications and answered questions from the Council.

Larry Hail, of Pinnacle Traffic Engineering, was called upon to answer questions from the Council on the traffic study conducted for the site.

Council discussion commenced. Following discussion, Vice Mayor Enander moved to continue the Conditional Use Permit, Application #19-UP-02- Los Altos Chinese School - 461 Orange Avenue, to a date uncertain, and refer the application back to the applicant to allow the applicant time to consider making modifications to the application addressing the concerns raised by the Council and that the modified application be brought back to the Council for consideration, at staff's discretion, following the required public notification of the (future) hearing on the application. The motion was seconded by Mayor Fligor and the motion passed 5-0 with the following roll call vote:

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

DISCUSSION ITEMS

Mayor Fligor announced that the Council would move to the next agenda item while the City Clerk accessed the proposed resolution (added to the agenda earlier in the evening).

8. Emergency Measures for Addressing COVID-19: Receive an update from the Deputy City Manager and provide direction on additional potential measures to address COVID-19.

Deputy City Manager Maginot provided a presentation and answered questions from the Council.

- Added Urgency Item - Resolution No 2021-17 Denouncing Ongoing Anti-Asian Sentiment and Violence Against Asian American Community Members

Mayor Fligor introduced the resolution. Council discussion commenced. There was Council consensus to amend the resolution as follows: Title shall read “A Resolution Of The City Council Of The City Of Los Altos Denouncing Intimidation, Aggression And Violence Against Asian American And Pacific Island Community Members; “Pacific Island” will be inserted throughout the resolution in conjunction with and wherever there is mention of “Asian American ” and the fourth paragraph be amended to read, “Whereas, the recent rise of violence against Asian Americans is part of a larger history of violence against communities of color, and we must work together to stop the violence and to promote safety and a sense of security in all communities; and”. Various typographical errors were identified and corrected.

Council Member Lee Eng moved that the Council adopt Resolution 2021-17 as amended and corrected. The motion was seconded by Vice Mayor Enander and the motion passed 5-0 with the following roll call vote:

Council Members Lee Eng, Meadows, Weinberg, Vice Mayor Enander, and Mayor Fligor.
NOES: None
ABSENT: None
ABSTAIN: None

The following member of the public commented: Pete Dailey

9. Halsey House Update and Future Direction: Receive an update on the Halsey House building, site, historical and program information gathered and Commission recommendations and input to date, review information and the questions raised, and discuss and agree upon a specific course of action that will result in a final decision on the

building's future; direct staff to schedule a study session to allow Council and staff an opportunity to discuss this process in more detail; and provide to staff direction on any specific information or presentations needed as part of the study session.

Interim City Manager Kilger introduced the item. Special Project Manager Brees provided a staff report and answered questions from the Council. City Attorney Houston and Associate Planner Gallegos also provided information and answered questions from the Council.

The following members of the public provided comments: Pete Dailey, Scott Spielman, Jon Baer, Roberta Phillips, and Jeanine Valadez.

Council Members provided input and articulated to staff their outstanding questions needing answers in preparation of the (future) study session on the Halsey House. Council directed staff to prepare a contract amendment, for Council's review and approval at the upcoming Council meeting, that would allow the City to proceed with contract service from consultants, Architectural Resources Group, for studies and information on current costs estimates, administrative processes and timeline as well as provide a historic resource evaluation of the Halsey House; and, once all the information is gathered, a study session be scheduled to present and provide to the Council and the public various options available for, the impacts of, the various timelines and processes involved, and costs relative to the options for the future of Halsey House.

10. Los Altos Theater Working Group. Support the formation of a working group to develop a proposal for a Los Altos Theater, which will include conceptual plans, capital costs and potential revenue sources or commitments, operating models, critical success factors for theatre operations, potential partners, and possible site location(s). The working group will not be a Brown Act body, and City Council Members and City staff will not be members of the working group or be responsible for leading, managing, or scheduling meetings for the working group. If the proposal includes the use of City-owned land and/or resources, the working group will present the proposal or a progress update to the City Council no later than October 31, 2021.

Mayor Fligor introduced the item and addressed for clarification (written) public comments received.

Council discussion commenced.

Mayor Fligor moved that the Council support formation of a working group to develop a proposal for a Los Altos Theater which could include such things as a conceptual plan, capital costs, potential revenue sources and commitments, operational models, critical success factors for theater operation, potential partners, and potential site locations and if such a group is formed and proposal created that the proposal be presented to the Council by the group.

The following members of the public commented: Roberta Phillips, Jeanine Valadez, Scott Spielman and Pete Dailey.

The motion was seconded by Council Member Weinberg and the motion passed 3-2 with the following roll call vote:

AYES: Council Members Meadows, and Weinberg, and Mayor Fligor.
NOES: Council Member Lee Eng and Vice Mayor Enander
ABSENT: None
ABSTAIN: None

INFORMATIONAL ITEMS ONLY

- Community Center Monthly Construction Update
- Police Task Force Recommendations Update (A. Galea)

Resident Jeanine Valadez commented. City Attorney Houston and Chief Galea responded to some of Ms. Valadez questions and reported that some of the matters raised would need to be reviewed and responded to at a later date.

- Tentative Council Calendar

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Council Member Weinberg requested the matter of a safe storage ordinance for firearms be placed on a future agenda. The request was supported by Council Member Meadows. Mayor Fligor stated that she also could support a discussion item on the matter.

Vice Mayor Enander requested a standing agenda item on future agendas, during this legislative session, that would allow for updates from the Council Legislative Subcommittee and potential Council action on pending legislation.

There was consensus to reschedule the March 30 Study Session and only hold the Closed Session if it cannot be postponed.

ADJOURNMENT

At 1:19 a.m., Wednesday, March 24, 2021, Mayor Fligor adjourned the meeting.

Neysa Fligor, MAYOR

ATTEST:

Andrea M. Chelemengos MMC, CITY CLERK

DRAFT