



CITY COUNCIL MEETING

TUESDAY, APRIL 13, 2021 – 7:00 P.M.

Please Note: Per California Executive Order N-29-20, the City Council will meet via Telephone/Video Conference only.

Members of the Public may join and participate in the Council meeting at <https://webinar.ringcentral.com/j/1451538545>

TO COMMENT DURING THE MEETING members of the public will need to join the meeting using the above link and have a working microphone on their device. To request to speak please use the “Raise hand” feature located at the bottom of the screen. Public testimony will be taken at the direction of the Mayor and members of the public may only comment during times allotted for public comments.

TO LISTEN to the City Council Meeting, members of the public may call 1-650-242-4929 (Meeting ID: **145 153 8545**). Please note that members of the public who call in using the telephone number will **NOT** be able to provide public comments.

TO SUBMIT WRITTEN COMMENTS, prior to the meeting, on matters listed on the agenda email PublicComment@losaltosca.gov with the subject line in the following format:

PUBLIC COMMENT AGENDA ITEM ## - MEETING DATE.

Correspondence must be received by 2:00 p.m. on the day of the meeting to ensure it can be distributed prior to the meeting. Emails received prior to the meeting will be included in the public record. [Please follow this link for more information on submitting written comments.](#)

CALL MEETING TO ORDER

ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE TO THE FLAG

REPORT ON CLOSED SESSION

SPECIAL ITEM

- [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 (J. Maginot)

CHANGES TO THE ORDER OF THE AGENDA

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA - Members of the audience may bring to the Council's attention any item that is not on the agenda. Speakers are generally given two or three minutes, at the discretion of the Mayor. Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during the Public Comment Period.

According to State Law (also known as “the Brown Act”) items must first be noticed on the agenda before any discussion or action.

CONSENT CALENDAR - These items will be considered by one motion unless any member of the Council or audience wishes to remove an item for discussion. Any item removed from the Consent Calendar for discussion will be handled at the discretion of the Mayor.

1. Council Minutes: Approve the Minutes of the March 23, 2021 Regular Meeting (A. Chelemengos)

PUBLIC HEARINGS

2. Resolution 2021-18 - CUP19-0004 - 1074 Riverside Drive: -Hold Public Hearing and consider the request for City Council approval of a Conditional Use Permit application to create a flag lot at 1074 Riverside Drive subject to the recommended findings and conditions. In conjunction with a lot line adjustment request (administrative review), the proposal would create a 10,756 square-foot interior lot and a 16,982 square-foot flag lot. (S. Golden)

DISCUSSION ITEMS

3. Resolution No. 2021-15 Housing Element Annual Status Report: Receive Housing Element Annual Report and adopt Resolution No. 2021-15 accepting the Housing Element Annual Progress Report for calendar year 2020 and authorizing staff to submit the report to the Governor's Office of Planning and Research and the California Department of Housing and Community Development (J. Biggs)
4. WITHDRAWN BY APPLICANT - Waiver Request of Utility, Maintenance and Repair Fees by the Los Altos Stage Company Consider request from the Los Altos Stage Company for a one-time waiver of the utility, maintenance, and repair fees in the amount of \$6,565.13, covering a period of 15 months from July 2019 to September 2020. Determine preferred action. (D. Legge)
5. Los Altos Community Center Phased Opening Plan: Receive and provide feedback on Community Center phased opening plan. (D. Legge)
6. City Council Fiscal Years 2021-2023 Objectives: Approve the FY 2021-23 Objectives for the City Council's 2021 Strategic Priorities (B. Kilger)
7. Council Legislative Subcommittee Update and Potential Council Action: Receive update from the City Council Legislative Subcommittee; discuss pending legislation including, but not limited to SB 556 (Dodd) Street Light Poles, Traffic Signal Poles, Utility Poles, And Support Structures; SB 16 (Skinner) Peace Officers: Release Of Records. SB 278 (Leyva) Public Employees' Retirement System: Disallowed Compensation: Benefit Adjustments; SB 765 (Stern) Accessory Dwelling Units: Setbacks; AB 339 (Lee And Garcia) State And Local Government: Open Meetings; AB 415 (Rivas) employment: workers' compensation; and provide direction/action. (Vice Mayor Enander, Council Member Weinberg)

INFORMATIONAL ITEMS ONLY

- Tentative Council Calendar

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

ADJOURNMENT

(Council Norms: It will be the custom to have a recess at approximately 9:00 p.m. Prior to the recess, the Mayor shall announce whether any items will be carried over to the next meeting. The established hour after which no new items will be started is 11:00 p.m. Remaining items, however, may be considered by consensus of the Council.)

SPECIAL NOTICES TO THE PUBLIC

In compliance with the Americans with Disabilities Act, the City of Los Altos will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk 72 hours prior to the meeting at (650) 947-2610.

Agendas Staff Reports and some associated documents for City Council items may be viewed on the Internet at <http://www.losaltosca.gov/citycouncil/online/index.html>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, and that are distributed to a majority of the legislative body, will be available for public inspection at the Office of the City Clerk's Office, City of Los Altos, located at One North San Antonio Road, Los Altos, California at the same time that the public records are distributed or made available to the legislative body. If you wish to provide written materials, please provide the City Clerk with **10 copies** of any document that you would like to submit to the City Council for the public record.



SPECIAL ITEM

AGENDA REPORT SUMMARY

Meeting Date: April 13, 2021

Subject: Emergency Measures for Addressing COVID-19: Receive an update from the Acting City Manager and provide direction on additional potential measures to address COVID-19 (J. Maginot)

PRESENTATION TO BE MADE AT MEETING

City Manager

CJ

Reviewed By:

City Attorney

JH

Finance Director

SE

From: Bill Hough [REDACTED]
Sent: Monday, April 5, 2021 6:42 PM
To: City Council <council@losaltosca.gov>
Cc: Andrea Chelemengos <achelemengos@losaltosca.gov>
Subject: public comment on items not on the agenda

A review of the draft meeting minutes from the March 23, 2021 indicates that an issue dating back to November 2020 is being kept alive. This involved Council Member Lynette Lee Eng being pressured to resign over speaking about a series of text messages she received that can be interpreted as threatening. As I said at the time, she should not resign. This issue was discussed to death last year; and it is annoying to have to keep submitting comments but there you are.

Once again, I must state the obvious. Although the final text in the series reads, "I just want to be clear, this is in no way a threat of any kind. This is me expressing my disappointment," one has to ask why this statement was necessary if the texts in question were unambiguously NOT a threat? In light of recent events around the country, it is reasonable to fear doxxing, vandalism or physical harm. How difficult is this?

Apparently, no one has watched Paris Dennard's 5-minute video from Dennis Prager's Prager U. He explains that what once was the start of healthy debate is now just as often a catalyst for personal and professional destruction. The "Cancel Culture" crowd is working overtime to ruin the life of anyone who crosses it. Watch the video at [h@s://www.prageru.com/video/never-apologize-to-themob/](https://www.prageru.com/video/never-apologize-to-themob/).

It is ironic that later on during the same meeting, Council adopted Resolution 2021-17 denouncing ongoing Anti-Asian Sentiment and Violence Against Asian American Community Members. I wonder if Lee Eng's enemies stuck around for that portion of the meeting?



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



PUBLIC HEARING

Agenda Item # 2

AGENDA REPORT SUMMARY

Meeting Date: April 13, 2021

Subject: Conditional Use Permit (CUP19-0004) for Proposed Flag Lot at 1074 Riverside Dr

Prepared by: Steve Golden, Senior Planner

Reviewed by: Jon Biggs, Community Development Director

Approved by: Brad Kilger, Interim City Manager

Attachment(s):

1. Resolution No. 2021-18
2. Draft Planning Commission Meeting Minutes, February 18, 2021
3. Planning Commission Agenda Report February 18, 2021

Initiated by:

Hiep Nguyen, Applicant

Previous Council Consideration:

None

Fiscal Impact:

There is no negative fiscal impact to the City for this project. Future development of a vacant lot will be required to pay the Traffic Impact Fee.

Environmental Review:

This conditional use permit is categorically exempt from environmental review under Section 15305 of the California Environmental Quality Act because it is a lot line adjustment that does not result in the creation of any new parcel, has an average slope of less than twenty percent, and does not result in any changes in land use or density.

Policy Question(s) for Council Consideration:

- Does the flag lot avoid any unreasonable impacts for the adjoining lots and satisfy the findings?

Summary:

- The application includes a conditional use permit to allow for the creation of a flag lot through a lot line adjustment of two existing lots
- Subsequent to the flag lot approval, a lot line adjustment would be approved administratively
- Reapportioning the lots to create a flag lot and conforming interior lot will eliminate the lot width non-conformity

Reviewed By:

City Manager

BK

City Attorney

JH

Finance Director

JM



Subject: Conditional Use Permit (CUP19-0004) at 1074 Riverside Dr

- The Planning Commission reviewed the application and recommended approval on February 18, 2021

Staff Recommendation:

Approve Resolution No. 2021-18 to approve conditional use permit application CUP19-0004 subject to the recommended findings and conditions.

Purpose

To review and consider a request for a conditional use permit to allow for the creation of a flag lot.

Background

This is a request for a conditional use permit to create a flag lot at the property at 1074 Riverside Drive which is comprised of two underlying lots.¹ The conditional use permit is required in the R1-10 District in order to allow for the creation of the new flag lot. The existing residence and a detached garage will be required to be demolished or moved in order for a lot line adjustment to be recorded to reappportion the two existing lots. Lot 1, an interior lot, would be 10,756 square feet in size; and Lot 2 flag lot, would be 16,982 square feet (net) in size.

Hale Creek located along the rear lot line of the property poses development constraints of the proposed flag lot with regards to maintaining creek side areas free of structures pursuant to the Santa Clara Valley Water Resources Protection Collaborative Guidelines and Standards for Land Use Near Streams that Los Altos adopted in 2007. In addition, the rear portion of the property is within a Special Flood Hazard Area (SFHA) designated “AE” on the Flood Insurance Rate Map (FIRM), which is part of the National Flood Insurance Program (NFIP) administered through the Federal Emergency Management Agency (FEMA). The applicant filed and received a Letter of Map Amendment (LOMA) from FEMA in November 2020, which amended the imprecise flood maps with more specific topographic data from the land surveyor. The result of the LOMA is shown as a revised “AE” flood boundary shown on the proposed site plan. Additional details regarding the flood map designation, LOMA, process and map amendment is included in the Planning Commission Agenda Report included as Attachment 3.

On February 18, 2021, the Planning Commission held a public hearing to consider the proposed conditional use permit to create the flag lot. The Commission voted unanimously to recommend approval of the conditional use permit. The Planning Commission meeting minutes and agenda report are included as Attachments 2 and 3.

¹ The two underlying lots were created through the Tract 372, “Los Altos Rancho”, a recorded subdivision map.



Subject: Conditional Use Permit (CUP19-0004) at 1074 Riverside Dr

Discussion/Analysis

The Applicant proposes a lot line adjustment to reapportion two underlying legal lots to create an interior lot with frontage on Riverside Drive and a rear flag lot, with a separate access corridor to the street. Flag lots are a conditional use in the R1-10 (Single-Family) District. Conditional uses require consideration of four standard conditional use permit findings and five specific findings pertaining to flag lots (Zoning Code Section 14.80.060). The findings are included in Exhibit A of the proposed approval resolution (Attachment 1). The discussion below demonstrates that positive findings can be made to approve the conditional use permit to create the proposed flag lot.

The location of the flag lot is desirable for the public since it reapportions existing single-family lots and helps the City meet its housing goals. The proposed flag lot meets the relevant Zoning Code objectives by providing for orderly growth in an existing residential area, by ensuring a harmonious relationship with adjacent residential land uses and by maintaining the traffic circulation system with no substantial changes to Riverside Drive. The applicant has demonstrated that the proposed lot could be developed outside of the creek setback guidelines and SFHA and staff has not identified any other effects of the flag lot that would be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

With regard to the specific flag lot use permit findings, the net size of the flag lot exceeds 15,000 square feet in size and the interior lot exceeds 10,000 square feet. The flag lot will be served by a 20-foot wide access corridor. The larger lot size requirement for flag lots should upon itself help mitigate some of the potential development impacts of flag lots. Prior to recording the lot line adjustment, the existing structures on the property would need to be removed from the site or moved to meet the setbacks of the reapportioned lots.

The flag lot will maintain the current yard relationship to the surrounding properties including side-to-side yard relationships to the adjacent properties on Riverside Drive and a rear-to-rear yard relationship to the adjoining property fronting on Parma Way. The R1-10 District requires 15-foot side-yard setbacks for flag lots whereas a 10-foot setback is normally required. Therefore, the development of a new dwelling on the flag lot would minimize any development impacts by satisfying the larger minimum lot size for a flag lot, maintaining or increasing current setbacks, and also maintaining yard relationships to adjacent properties. Also, if the Applicant decided to retain the legal underlying lots (Lots 102 and 103 of Tract 372), those lots would be considered “narrow lots” under the R1-10 Zoning District with regards to non-conforming lot width (less than 80 feet in width) and would be allowed reduced side yard setbacks; therefore, the proposed flag lot eliminates this non-conformity and increases the required separation between property lines and neighboring structures.

The proposed flag lot will not result in unreasonable noise impacts for neighbors adjoining the flag lot corridor since the proposed access corridor is in the same location as the existing driveway. The existing house adjacent to the driveway corridor (1062 Riverside Dr) is setback approximately ten feet from the access corridor property line.



Subject: Conditional Use Permit (CUP19-0004) at 1074 Riverside Dr

The proposed flag lot will not result in any unreasonable privacy impacts. As required by the Zoning Code, new development on a flag lot limits structures to one-story and no more than 20 feet in height. This restriction limits views into surrounding properties as compared to two-story structures. In addition, the implementation of design review guidelines would further mitigate for any other unreasonable privacy impacts. Therefore, the proposed flag lot will not result in any unreasonable privacy impacts or excessive building height massing.

The proposed flag lot will also not result in incompatible building setbacks from neighboring properties. As noted above, the project will actually eliminate the non-conforming width of the underlying lots that allows for reduced side yard setbacks.

The allowed floor area should not unreasonably affect the neighboring properties. With a proposed net lot size of 16,982 square feet, the floor area regulations would allow up to 4,448 square feet of floor area on the flag lot. Since the majority of the adjacent properties are between 9,600 to 15,000 square feet in size, the flag lot will allow a structure that is similar in size to those allowed on properties in the direct vicinity. In addition, the 15-foot side yard setbacks and one-story height limitation will further reduce any perceived impacts resulting from future development of this flag lot.

Options

- 1) Approve the conditional use permit to allow the reapportion of existing lots for a flag lot and interior lot as recommended by the Planning Commission and staff.

Advantages: The creation of a flag lot on interior lot is orderly and compatible with the surrounding neighborhood and eliminates two narrow lots that are non-conforming.

Disadvantages: None identified

- 2) Deny the conditional use permit to allow the creation of a flag lot.

Advantages: The existing narrow parcels would remain unchanged.

Disadvantages: The parcels would remain unchanged and may result in the development of two narrow lots which may pose a greater impact to the perception of privacy.

Recommendation

The staff recommends Option 1.

ATTACHMENT 1

RESOLUTION NO. 2021-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS APPROVING A CONDITIONAL USE PERMIT FOR A FLAG LOT AT 1074 RIVERSIDE DRIVE

WHEREAS, the City of Los Altos received a conditional use permit application (CUP19-0004) from Hiep Nguyen (“Applicant”) for a flag lot at 1074 Riverside Drive; and

WHEREAS, the Project is categorically exempt from environmental review as a minor alteration in land use limitation in accordance with Section 15305 of the California Environmental Quality Act of 1970 as amended (“CEQA”) because it involves a lot line adjustment of an existing lot to create a flag lot; and

WHEREAS, the Project was processed in accordance with the applicable provisions of the California Government Code and the Los Altos Municipal Code; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the Project on February 18, 2021 at which all public comment was duly considered; and

WHEREAS, the City Council held a duly noticed public meeting on the Project on April 13, 2021 at which time all public comment was duly considered; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council’s decision was made are located in the Office of City Clerk.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby grants and approves Conditional Use Permit Application No. CUP19-0004 for the creation of a flag lot at 1074 Riverside Drive subject to the findings attached hereto as Exhibit “A” and conditions of approval attached hereto as Exhibit “B” and incorporated herein by this reference.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 13th day of April 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Neysa Fligor, MAYOR

Attest:

Andrea Chelemengos, MMC, CITY CLERK

EXHIBIT A

FINDINGS

1. With regard to conditional use permit application CUP19-0004 for the creation of a new flag lot, the City Council finds the following in accordance with Section 14.80.060 of the Municipal Code:
 - a. The proposed location of the use is desirable for the public health, safety, comfort, convenience, prosperity, or welfare because the flag lot reappropriates an existing single-family lot and maintains the current use of the property as single-family residential which is consistent with the surrounding single-family land uses;
 - b. The proposed location of the use is in accordance with the objectives of the zoning ordinance because the flag lot including the required property line setbacks, one-story building limitation, and creek setbacks creates a harmonious relationship with the adjacent residential land uses and conserves the city's natural beauty and preserves and enhances the creek as a distinctive physical character;
 - c. The proposed location of the use, under the circumstances of the particular case, will not be detrimental to the health, safety, comfort, convenience, prosperity, or welfare of persons residing in the vicinity or injurious to property or improvements in the vicinity because the flag lot will maintain the existing yard relationships with the surrounding properties;
 - d. The proposed use will comply with the regulations prescribed for the district in which the site is located and the general provisions of the zoning ordinance because the flag lot will allow for the future development of a single-family dwelling which is the primary land use of the R1-10 Zoning District;
 - e. The size of the proposed flag lot is sufficient to mitigate development impacts and is compatible with the existing lots in the immediate neighborhood because the lot area exceeds the required minimum lot size and maintains appropriate yard relationships with immediate surrounding properties;
 - f. The proposed flag lot will not result in unreasonable noise impacts to neighbors adjoining the access corridor because the new access corridor is substantially in the same location as the existing access corridor;
 - g. The proposed flag lot will not result in unreasonable privacy invasion or unreasonable massing as a result of building height because the R1-10 District limits building height to one-story and not more than 20 feet on flag lots;
 - h. The proposed flag lot will not result in incompatible setbacks from neighboring properties because the flag lot will maintain current front and rear yard setbacks and increased side yard setbacks; and
 - i. The allowed floor area ratio in accordance with district regulations will not result in adverse impacts on neighboring properties because the flag lot will be similar to the lot area of properties in the surrounding area.

EXHIBIT B

CONDITIONS

GENERAL

1. The conditional use permit approval to allow the flag lot is based upon the site plan dated January 25, 2021 except as may be modified by these conditions.
2. The Applicant shall contact electric, gas, communication and water utility companies regarding the installation of new utility services to the site.
3. All existing trees on the site are to be protected and shall not be removed unless approved by the City during any subsequent development review or tree removal permit application.
4. The Applicant shall remove all structures and man-made improvements within the Special Flood Hazard Area (SFHA) designated "AE" on the effective National Flood Insurance Rate Map that may impede the conveyance of flood water including but not limited to solid fencing and walls.
5. The Applicant shall dedicate public utility easements as required by the utility companies to serve both parcels.
6. The applicant/owner agrees to indemnify, defend, protect, and hold the City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of the City in connection with the City's defense of its actions in any proceedings brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project. The City may withhold final maps and/or permits, including temporary or final occupancy permits, for failure to pay all costs and expenses, including attorney's fees, incurred by the City in connection with the City's defense of its actions.

3. CUP19-0004 – Hiep Nguyen – 1074 Riverside Drive

A request for a conditional use permit to create a flag lot at 1074 Riverside Drive. In conjunction with a lot line adjustment request (administrative review), the proposal would create a 10,756 square-foot interior lot and a 16,982 square-foot flag lot. *Project Planner: Golden*

Senior Planner Golden gave the staff report and PowerPoint presentation recommending approval of application CUP19-0004 to allow for the creation of a new flag lot in accordance with the findings in Section 14.80.060 and subject to the Conditions of Approval in the staff report.

Commissioner Questions

Chair Ahi asked since the applicant got the letter of map amendment for the flood zone, is there a new base flood elevation for the AE flood zones or the area in terms of what the finished floor elevations would be at the back of the lot?

Answer: Senior Planner Golden stated that it is a little bit more complex because there is a higher standard when you build within an AE zone since it does not have a regulated floodway. With regards to the base flood elevation in an AE zone, we typically look for that plus an additional foot for a finished floor. Regardless of that, we would have to look at other things before we even considered allowing a building in this flood zone.

Commissioner Steinle asked whether Santa Clara Valley Water District would have to sign off on something like this because they own the creek?

Answer: Senior Planner Golden said no, it is a regulated floodway, and the property owners are responsible for maintenance. We would ask the Santa Clara Valley Water District for peer review to help us out because we do not have the expertise to analyze flood studies in these situations. We have adopted the Santa Clara Valley Water Protection Collaborative and that was one approach cities in the Santa Clara Valley took a few years back.

The project applicant Hiep Nguyen spoke in favor of the project stating that they would stay out of the flood zone, will provide two housing units, and asked the Commission for their approval of his application.

Chair Ahi then opened the meeting for public comment.

Public Comment

Resident Terri Couture, 903 Parma Way, said she has been here in Los Altos for 30 years. The creek has flooded twice. She stated concerns about trees disappearing along the creek banks from development even though they are protected, and the slope down to the creek that has been altered without permits in the past. She asked that the Commission protect the neighborhood, creeks, and wildlife.

Chair Ahi then closed the public comment period.

Commission Discussion

Commissioner Roche stated he had no concerns, the flag lot creation is ideal, and is in support of the application.

Vice-Chair Bodner said she was supportive.

Commissioner Mensinger gave her support.

Commissioner Marek said he was in support.

Commissioner Steinle stated he as in support.

Chair Ahi gave his support with the base flood elevations identified. He said it makes perfect sense to have two homes built on 30,000 square feet of lot.

Action: Upon motion by Commissioner Roche, seconded by Commissioner Steinle, the Commission voted to recommend approved of Application CUP19-0004 to create a flag lot and for staff to administratively approve the Lot Line Adjustment to accommodate the proposed lot arrangement.

The motion was approved (6-0) by the following vote:

AYES: Ahi, Bodner, Marek, Mensinger, Roche and Steinle

NOES: None

RECUSED: Doran

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner Steinle asked about City Council meeting assignments for 2021. Community Development Director Biggs said we would have that document for them at the next scheduled meeting.

Chair Ahi said that he would represent for the Objective Standard on the February 23rd City Council meeting. Community Development Director Biggs said that the meeting on the 23rd is a City Council Study Session that will start at 6:00 PM.

POTENTIAL FUTURE AGENDA ITEMS

Community Development Director Biggs provided an overview of upcoming projects and meetings including 140 Lyell Street consideration at the February 23, 2021 City Council regular meeting agenda.

Community Development Director Biggs reminded the Commissioners about the 2021 Virtual Planning Commissioners Academy in March.

ADJOURNMENT

Chair Ahi adjourned the meeting at 8:35 P.M.

Jon Biggs
Community Development Director



PLANNING COMMISSION AGENDA REPORT

Meeting Date: February 18, 2021

Subject: Conditional Use Permit (CUP19-0004) for Proposed Flag Lot at 1074 Riverside Dr

Prepared by: Steve Golden, Senior Planner

Initiated by: Hiep Nguyen, Applicant

Attachments:

- A. ~~Draft Resolution~~
- B. Vicinity and Notification Maps
- C. Recorded Subdivision Map - Tract 372, Los Altos Rancho (Sheet 3 of 3 only)
- D. LOMA Determination with Attachments
- E. Site Plan

Recommendation:

Recommend approval of conditional use permit application CUP19-0004 to the City Council subject to the listed findings and conditions.

Environmental Review:

This conditional use permit is categorically exempt from environmental review under Section 15305 of the California Environmental Quality Act because it is a lot line adjustment that does not result in the creation of any new parcel, has an average slope of less than twenty percent, and does not result in any changes in land use or density.

Project Description:

This is a request for a conditional use permit to create a flag lot at the property at 1074 Riverside Drive. The proposal would demolish the existing house and garage which spans over two existing underlying legal lots. Subsequent to the conditional use permit, a lot line adjustment (administratively reviewed) would create an interior lot and a flag lot. The conditional use permit is required in the R1-10 District in order to allow for the creation of the new flag lot. Lot 1, an interior lot, would be 10,756 square feet in size; and Lot 2 flag lot, would be 16,982 square feet (net) in size. The following table summarizes the project:

GENERAL PLAN DESIGNATION: Single-Family, Medium Lot, 4 du/net acre
ZONING: R1-10, Single-Family, residential
LOT SIZE: 29,599 square feet (gross)

LOT 1 (Interior Lot)			LOT 2 (Flag Lot)		
	Proposed	Required		Proposed	Required
Area	10,756 sq ft	10,000 sq ft	Area	16,982 sq ft (net)	15,000 sq ft (net)
Width	106.83 feet	80 feet	Width	156.5 feet	80 feet
Depth	100.25 feet	100 feet	Depth	114.5 feet	100 feet
			Corridor Width	20 feet	20 feet

Background

The subject property is located on the west side of Riverside Drive, between Berry Avenue and Oak Wood Court. The property (APNs 189-45-023 and -024) is comprised of two underlying parcels, Lots 102 and 103 of Tract 372 (Los Altos Rancho) recorded in 1947 (Attachment C). There is an existing single-story residence that currently spans the two lots. The existing residence and a detached garage will be required to be demolished or moved in order for a lot line adjustment to be recorded to create the new lots since the structures encroach over the proposed parcel lines or required setbacks.

Hale Creek is located at the rear of the site and is nearly coincident with the rear lot line. In 2007, the City of Los Altos adopted the Santa Clara Valley Water Resources Protection Collaborative Guidelines and Standards for Land Use Near Streams. In general, these guidelines require certain building setbacks to be maintained and provide tools and techniques for landowners to protect and enhance creek side areas. The guidelines propose a minimum 20-foot setback from the top of bank for slope stability of the creek bank. The proposed site plan shows where a 20-foot setback from the top of bank would be located; therefore, protection of the creek-side area should be maintained with the proposed development.¹

The back portion of the property is also located within a Special Flood Hazard Area (SFHA) designated “AE” on the Flood Insurance Rate Map (FIRM) which is part of the National Flood Insurance Program (NFIP) administered through the Federal Emergency Management Agency (FEMA). The City enforces floodplain management through Chapter 12.60 Flood Hazard Area Regulations of the Municipal Code. The SFHA are defined as the areas that will be inundated by a flood event having a 1-percent chance of being equaled or exceeded in any given year. The SFHA is also referred to as a 100-year flood zone. An AE flood zone has a base flood elevation determined and some AE zones have a regulated floodway and other flood fringe areas determined²; however, this particular AE flood zone does not have a regulated floodway determined. When no regulated

¹ However, since the Special Flood Hazard Area (SFHA) restricts development of any enclosed structures further away from the top of bank, a setback greater than the 20-foot minimum will apply.

² The regulated floodway is the primary conveyance area of a channel’s cross-section for flood water and is the area that must be reserved in order to discharge the base flood without cumulatively increasing water surface elevation more than a designated height. Fringe flood areas are areas that are inundated with flood water, but not required for conveyance of flood waters.

floodway is mapped, then the whole AE flood zone is considered the regulated floodway. Typically, development within the fringe flood zone of an AE designated with a regulated floodway is usually achievable through compliance with building standards that require designs for elevated buildings above the base flood elevation, special flood venting, and other design measures. However, building within a regulated floodway first requires special hydrologic and hydraulic analysis that must demonstrate the result of the proposed development along with all other development in the AE zone does not increase the base flood elevation by more than 1-foot and also requires special documentation through FEMA to demonstrate that the project will not result in any rise to the base flood heights referred to as a “no-rise certification.” This is a very stringent standard which requires a detailed study be submitted by the Applicant’s engineer and peer reviewed by the City or designee.³ Typical studies are costly and require additional time which may not be financially feasible for smaller projects. Without such study, building in a regulated floodway is not permissible per local or federal regulations.

The topography survey submitted by the Applicant showed that the AE flood area (which is considered a regulated floodway) based on the FIRM would have included most if not all of the buildable area of the proposed flag lot. It also showed that the centerline of the creek and likely the AE flood area was not mapped properly, which sometimes occurs since the FEMA maps are based on more general data than site specific topographic data. Staff recommended that the applicant apply for a Letter of Map Amendment (LOMA) through FEMA which effectively amends the map and establishes new boundaries based on the more precise topographic survey data. The applicant completed this process and the LOMA is included in Attachment D, which shows a new AE flood area boundary and provides a buildable area for proposed Lot 2 as shown in the site plan (Attachment E). The process preceded the review of the conditional use permit for the flag lot to best understand the development constraints of the proposed lot, to show the resulting potential building footprint, which is depicted on the site plan, and to demonstrate that the flood hazard risk would not be exacerbated with the proposed development.

Discussion/Analysis

The Applicant proposes a lot line adjustment to reapportion two underlying legal lots to create an interior lot with frontage on Riverside Drive and a rear flag lot, with a separate access corridor to the street. Flag lots are a conditional use in the R1-10 (Single-Family) District. Conditional uses require consideration of four standard conditional use permit findings and five specific findings pertaining to flag lots (Zoning Code Section 14.80.060). The findings are included in Exhibit A of the proposed approval resolution (Attachment E). The discussion below demonstrates that positive findings can be made to recommend approval of the conditional use permit to create the proposed flag lot.

The location of the flag lot is desirable for the public since it reapportions existing single-family lots and helps the City meet its housing goals. The proposed flag lot meets the relevant zoning code objectives by providing for orderly growth in an existing residential area, by ensuring a harmonious relationship with adjacent residential land uses and by maintaining the traffic circulation system with no substantial changes to Riverside Drive. The applicant has demonstrated that the proposed lot could be developed outside of the creek setback guidelines and SFHA and staff has not identified any other effects of the flag lot that would be detrimental to the health, safety, comfort, convenience,

³ The City of Los Altos collaborates with Valley Water who has the expertise in reviewing such studies.

prosperity, or welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

With regard to the specific flag lot use permit findings, the net size of the flag lot exceeds 15,000 square feet in size and the interior lot exceeds 10,000 square feet. The flag lot will be served by a 20-foot wide access corridor. The larger lot size requirement for flag lots should upon itself help mitigate some of the potential development impacts of flag lots. The existing residence structure on the property would need to be removed from the site or moved to meet the setbacks of the newly created lots.

The newly created lots will maintain the current yard relationship to the surrounding properties including side-to-side yard relationships to the adjacent properties on Riverside Drive and a rear-to-rear yard relationship to the adjacent property fronting on Parma Way. The R1-10 District requires 15-foot side-yard setbacks for flag lots whereas a 10-foot setback is normally required. Therefore, the development of a new dwelling on the flag lot would minimize any development impacts by satisfying the larger minimum lot size for a flag lot, maintaining current setbacks and yard relationships to adjacent properties. Also, if the Applicant decided to retain the legal underlying lots (Lots 102 and 103 of Tract 372), those lots would be considered “narrow lots” under the R1-10 Zoning District with regards to non-conforming lot width (less than 80 feet in width) and would be allowed reduced side yard setbacks; therefore, the proposed flag lot eliminates this non-conformity and increases the required separation between property lines and neighboring structures.

The proposed flag lot will not result in unreasonable noise impacts for neighbors adjoining the flag lot corridor since the proposed access corridor is in the same location as the existing driveway. The existing house adjacent to the driveway corridor (1062 Riverside Dr) is setback ten feet from the access corridor property line.

The proposed flag lot will not result in any unreasonable privacy impacts. As required by the Zoning Code, new development on a flag lot limits structures to one-story and a maximum height of 20 feet. In addition, any new residential development on the interior lot will maintain similar setbacks as the existing house. Therefore, the proposed flag lot will not result in any unreasonable privacy impacts or excessive building height massing.

The proposed flag lot will also not result in incompatible building setbacks from neighboring properties. As noted above, the project will actually eliminate the non-conforming width of the underlying lots that allows for reduced side yard setbacks.

The allowed floor area should not unreasonably affect the neighboring properties. With a proposed lot size of 16,982 square feet, the floor area regulations would allow up to 4,448 square feet of floor area on the flag lot.⁴ Since the majority of the adjacent properties are between 9,600 to 15,000 square feet in size, the flag lot will allow a structure that is similar in size to those allowed on properties in the direct vicinity. In addition, the 15-foot side yard setbacks and one-story height limitation will further reduce any perceived impacts resulting from future development of this flag lot.

Existing Trees and Other Site Conditions

⁴ This area will likely be reduced due to the buildable allowed area outside of the SFHA.

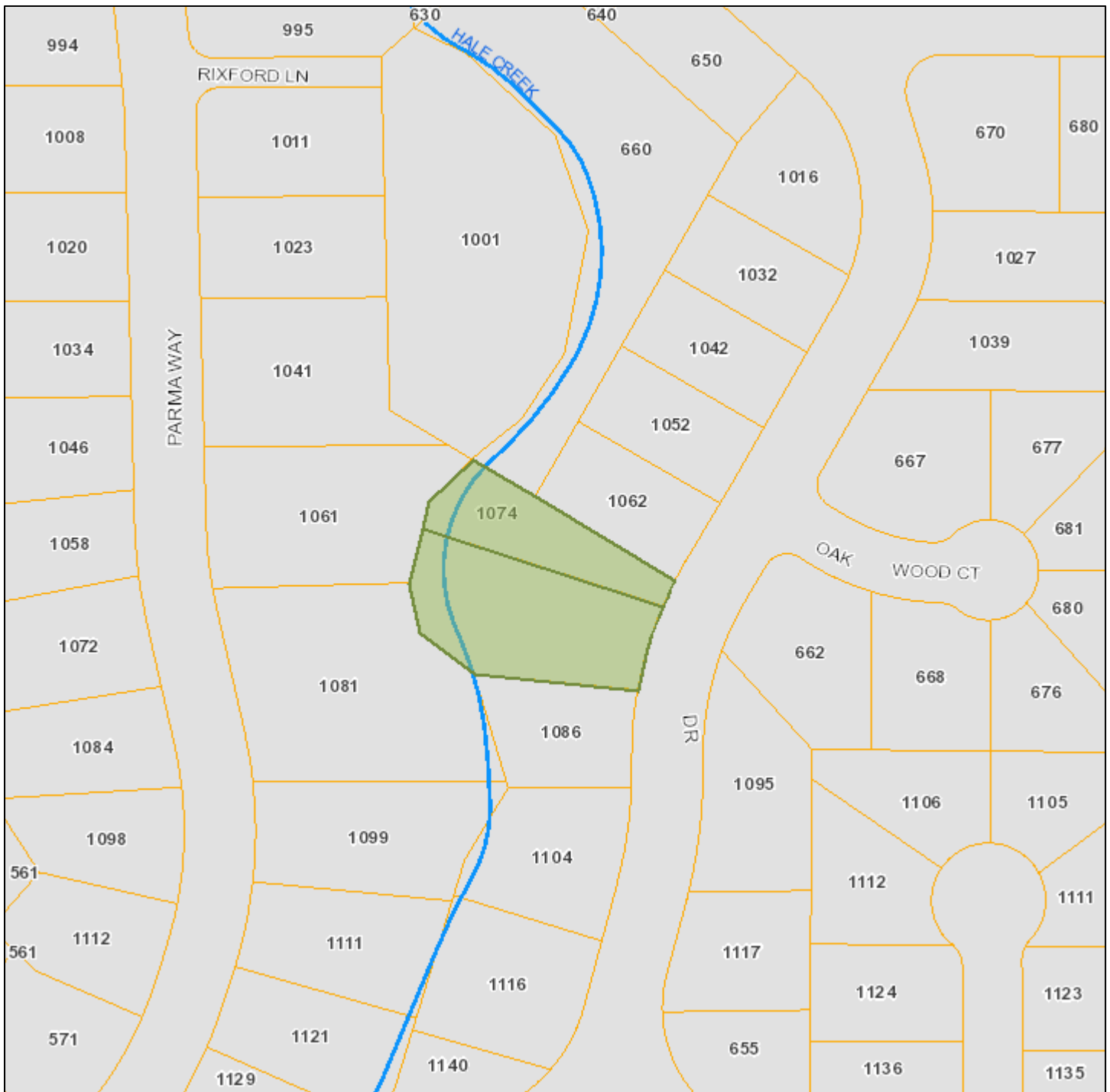
The property includes a number of mature ornamental sized trees of various species as well as mature large tree species including oak trees. The majority of the larger trees that would be considered protected trees under Chapter 11.08, Tree Protection Regulations of the Municipal Code (trees greater than 48 inches in circumference) are along the protected creek side area or along the property lines within the property line setback areas as shown on the topographic survey. However, there are two elms with trunk diameters of 15 and 21 inches which are located in the center of Lot 2. The trees would likely be requested to be removed as part of the design review of the proposed residence on Lot 2 since they are within the building envelope and protecting them would further limit the building footprint of the site. There are certain findings that would have to be made to allow removal of the trees, but given the location of the trees, there may be justification based on the findings⁵ and the fact that many of the trees would be retained as well as potential replacement trees provided. However, any tree removal should be considered within the context of the design review for the new houses on each lot when the applications are submitted. Staff has included Condition No. 3 to protect all existing trees on the property at this time.

As noted above, there is a detached garage structure that would need to be removed from the property. In addition, a pool that previously existed on the site was already removed with a demolition permit. Any improvements at the rear of the property within the SFHA that may obstruct flood waters would be required to be removed as part of the demolition permit and/or design review approval (Condition No. 4)

As stated previously Attachment E shows the proposed site plan of the proposed flag lot and interior lot with the building envelopes shown. The building envelope for Lot 1 is dictated by the R1-10 Zoning District setbacks, where as the building envelope for Lot 2 is dictated by the front and right side yard setback of the R1-10 Zoning District and the top of bank setback and SFHA boundary at the left and rear sides.

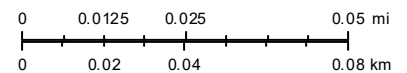
⁵ Such findings may include “the necessity to remove the tree for economic or other enjoyment or the property” or “whether there are any reasonable and feasible alternatives that would allow for the preservation of the tree.”








Vicinity Map ATTACHMENT B



Print Date: December 15, 2020

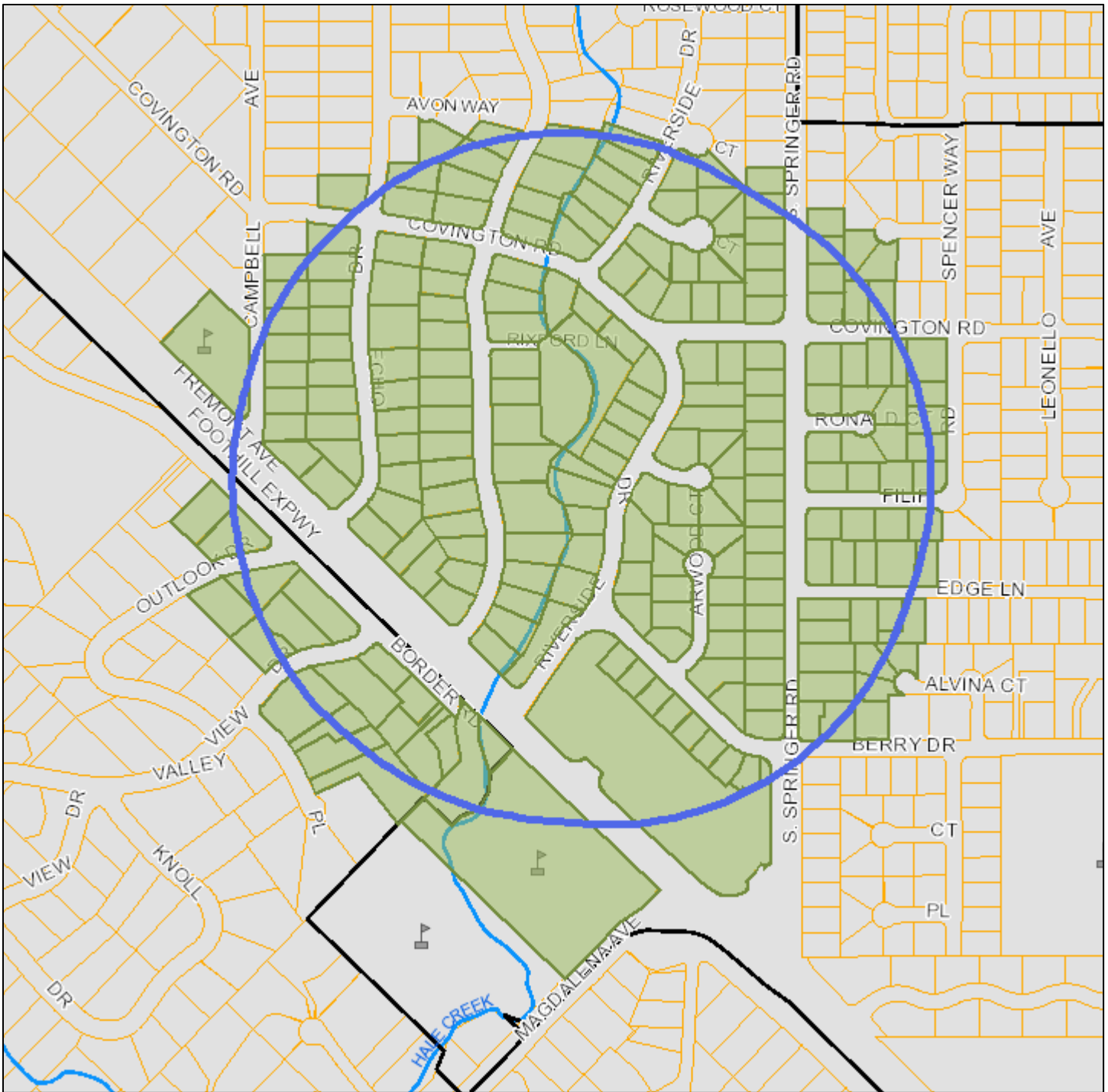
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-  Schools
-  Park and Recreation Areas
-  City Limit
-  Road Names
-  Waterways
-  Situs Label
-  TaxParcel

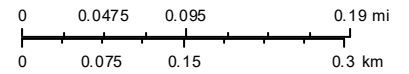
The information on this map was derived from the City of Los Altos' GIS. The City of Los Altos does not guarantee data provided is free of errors, omissions, or the positional accuracy, and it should be verified.








Notification Map



Print Date: December 15, 2020

1:7,046



-  Schools
-  Park and Recreation Areas
-  City Limit
-  Road Names
-  Waterways
-  Situs Label
-  TaxParcel

The information on this map was derived from the City of Los Altos' GIS. The City of Los Altos does not guarantee data provided is free of errors, omissions, or the positional accuracy, and it should be verified.

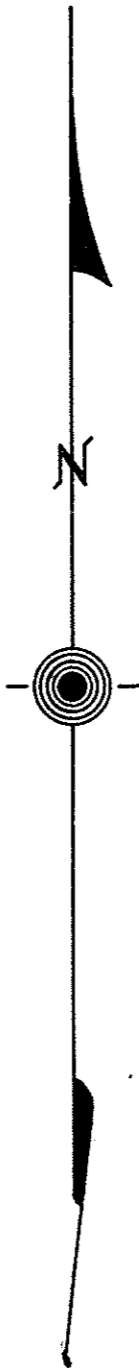
9/6/47 13/24-30-31 SHEET THREE OF THREE SHEETS 465007

TRACT NO 372 LOS ALTOS RANCHO

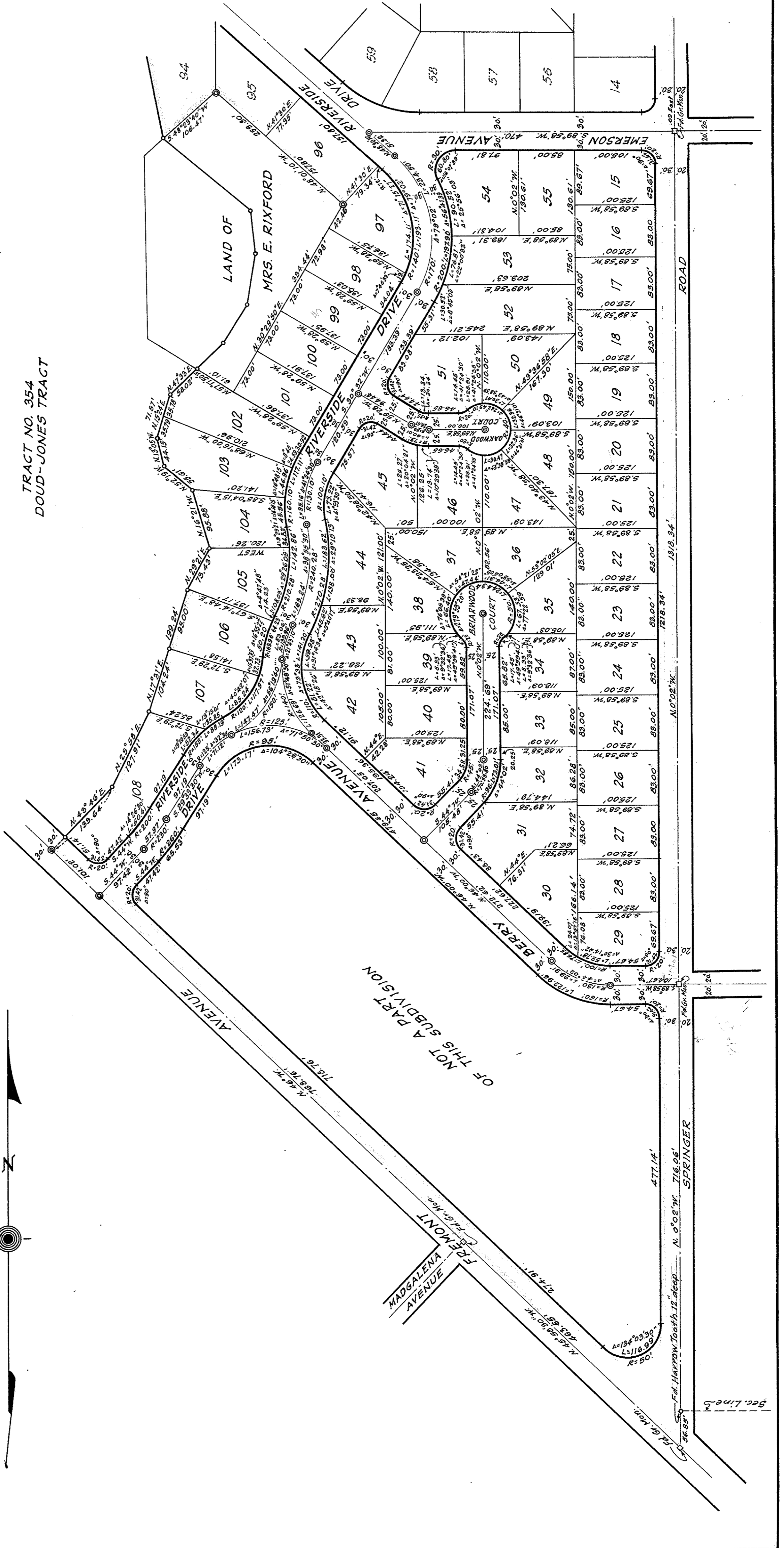
A RESUBDIVISION OF LOTS
1, 6, 10, 11 CAMPBELL RANCH
SANTA CLARA COUNTY, CALIF.

SCALE 1"=100' — JAN. 1947

ARTHUR G. JAMES
CIVIL ENGINEER



TRACT NO. 354
DOUD-JONES TRACT





ATTACHMENT D

Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CITY OF LOS ALTOS, SANTA CLARA COUNTY, CALIFORNIA COMMUNITY NO.: 060341	A portion of Lots 102 and 103, Tract No. 372 Los Altos Rancho, as shown on the Plat recorded in Book 13, Pages 29, 30, and 31, in the Office of the Recorder, Santa Clara County, California The portion of property is more particularly described by the following metes and bounds:
AFFECTED MAP PANEL	NUMBER: 06085C0201H DATE: 5/18/2009	
FLOODING SOURCE: HALE CREEK		
		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 37.363732, -122.098337 SOURCE OF LAT & LONG: LOMA LOGIC DATUM: NAD 83

DETERMINATION

LOT	BLOCK/SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
102 & 103	--	Tract 372 Los Altos Rancho	1074 Riverside Drive	Portion of Property	X (shaded)	--	--	180.3 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION PORTIONS REMAIN IN THE SFHA SUPERSEDES PREVIOUS DETERMINATION	STATE LOCAL CONSIDERATIONS
--	----------------------------

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

Beginning at the southeasterly corner of said Lot 103; thence along the south line said lot North 85°04'15" West, 120.63 feet; thence leaving last said line, Northwesterly, Northeasterly, and Southeasterly along the following described line the subsequent thirteen (13) courses: 1. North 11°52'45" West, 4.52 feet 2. North 23°12'54" West, 9.28 feet 3. North 44°57'50" West, 5.32 feet 4. North 06°01'57" West, 80.38 feet 5. North 47°33'14" East, 1.11 feet 6. North 24°01'19" East, 3.13 feet 7. North 67°51'38" East, 7.64 feet 8. North 08°56'12" East, 17.09 feet 9. North 43°23'18" West, 6.02 feet 10. North 24°16'03" East, 22.04 feet 11. North 47°54'36" East, 18.28 feet 12. South 53°55'39" East, 15.03 feet 13. North 52°27'57" East, 12.86 feet to North line of said Lot 102; Thence Southeasterly along said line the following two (2) courses: 1. South 57°17'50" East, 3.41 feet 2. South 59°28'00" East, 137.86 feet to the Northeast corner of said Lot 102; Thence Southwesterly along the Easterly line of said Lots 102 and 103 the following two (2) courses: 1. South 30°32'00" West, 30.92 feet to a tangent curve 2. Along an arc to the left with a radius of 160.10 feet, through a central angle of 25°36'49", an arc length of 71.57 feet to the Point of Beginning.

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

SUPERSEDES OUR PREVIOUS DETERMINATION (This Additional Consideration applies to all properties in the LOMA DETERMINATION DOCUMENT (REMOVAL))

This Determination Document supersedes our previous determination dated 5/1/2020, for the subject property.

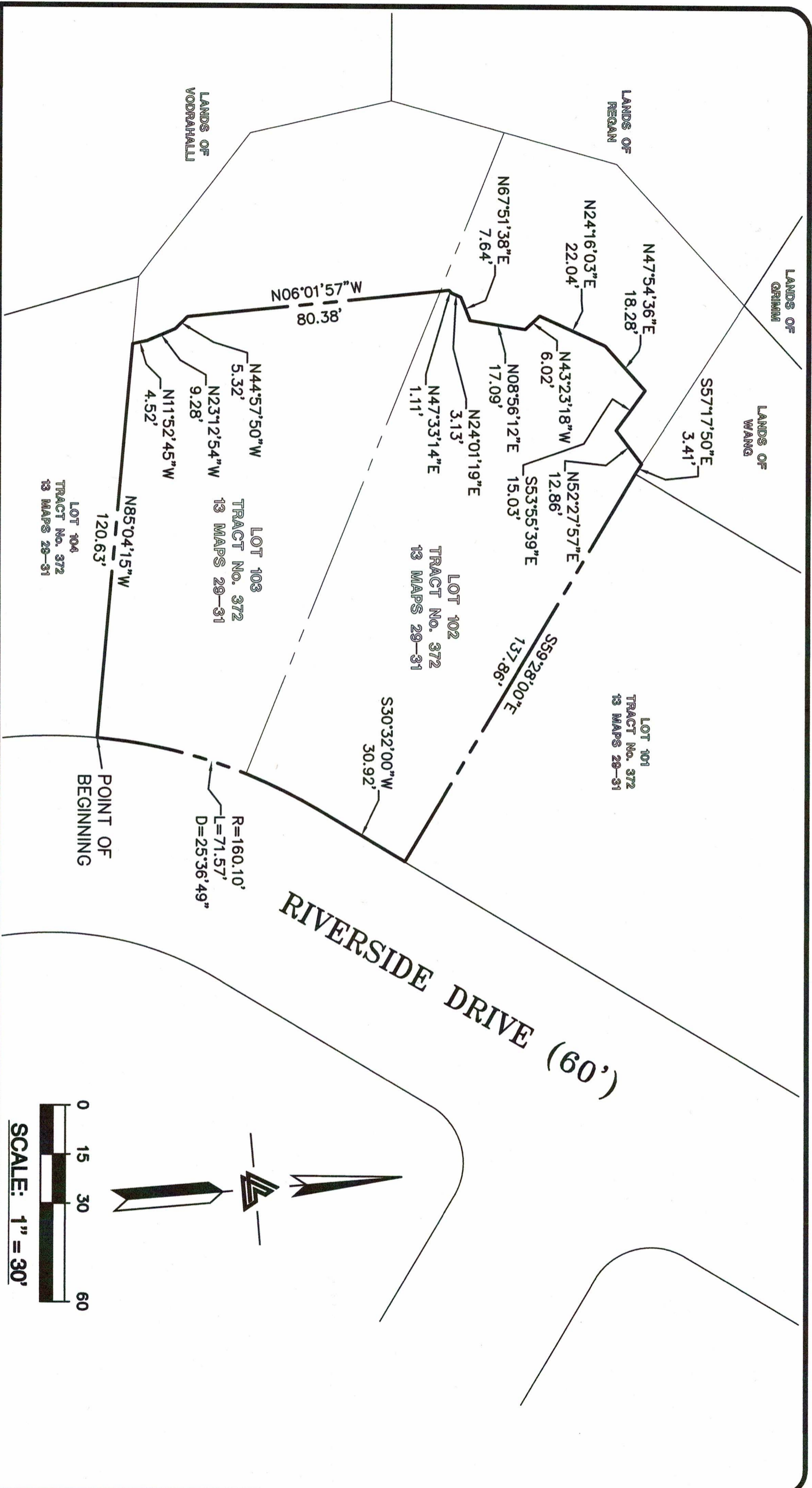
STATE AND LOCAL CONSIDERATIONS (This Additional Consideration applies to all properties in the LOMA DETERMINATION DOCUMENT (REMOVAL))

Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

A handwritten signature in black ink, appearing to read "Luis V. Rodriguez".

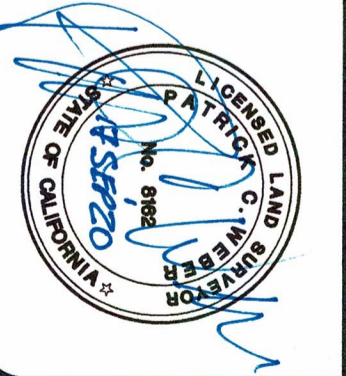
Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration



JOB NO: 2180239 SU
 DATE: SEPTEMBER 16, 2020
 SCALE: 1"=30'
 DRAWN BY: PCW
 SHEET NO: 1

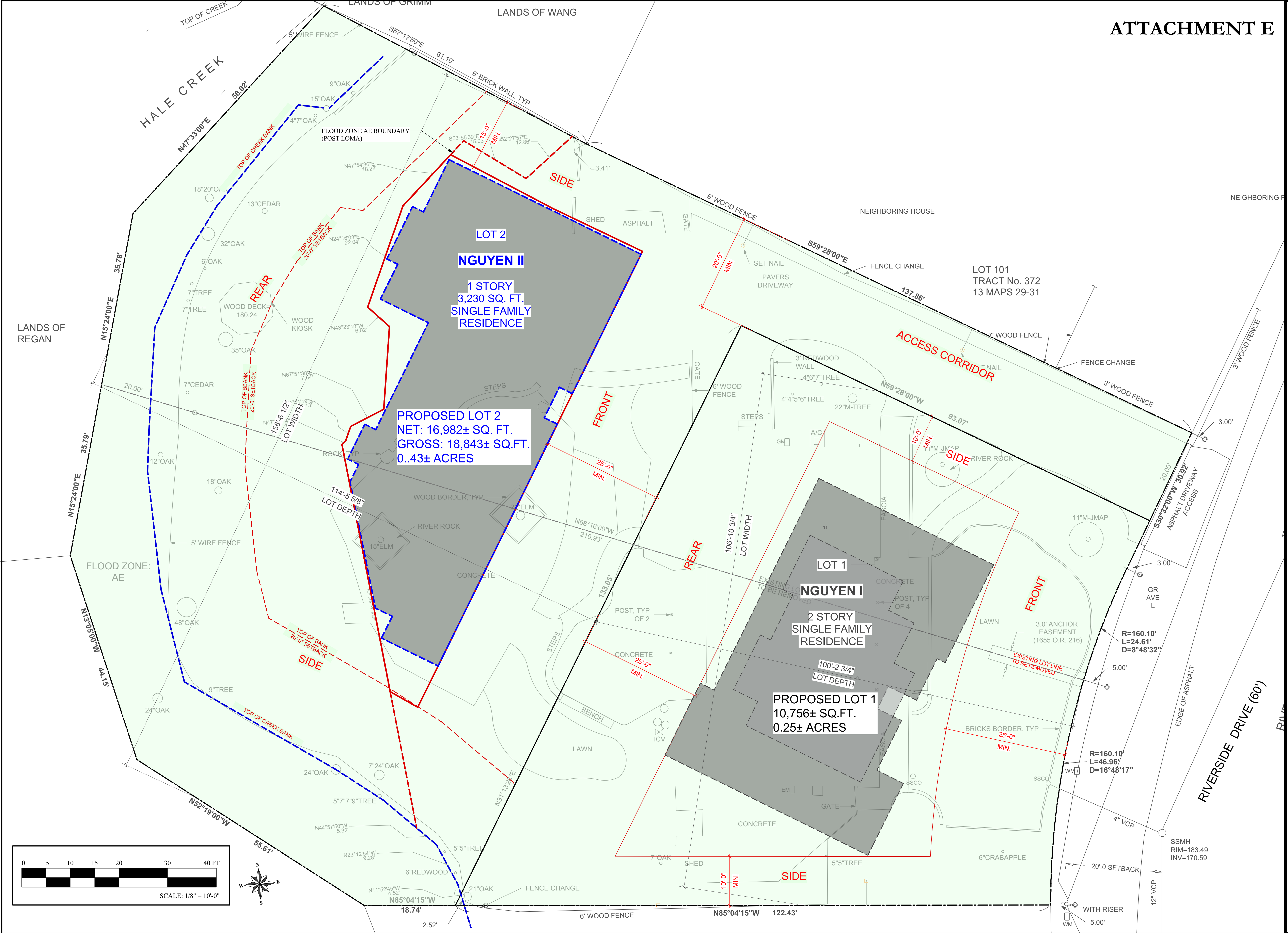
EXHIBIT "B"
1074 RIVERSIDE DRIVE
LOS ALTOS, CALIFORNIA
 APN: 189-45-023 & 189-45-024
 SANTA CLARA COUNTY

LEA & BRAZE ENGINEERING, INC.
 CIVIL ENGINEERS • LAND SURVEYORS
 BAY AREA REGION
 2495 INDUSTRIAL PKWY WEST
 HAYWARD, CALIFORNIA 94545
 (P) (510) 887-4086
 (F) (510) 887-3019
 WWW.LEABRAZE.COM
 SACRAMENTO REGION
 3017 DOUGLAS BLVD, # 300
 ROSEVILLE, CA 95661
 (P) (916) 966-1338
 (F) (916) 797-7363



LOT LINE ADJUSTMENT:
NGUYEN 1 & 2
1074 RIVERSIDE DR.
LOS ALTOS, CALIFORNIA

STATUS	ISSUED FOR REVIEW
REVISIONS	
CONTENTS:	
DATE:	01.25.21
DRAWN:	
JOB:	19-005
SHEET:	A-1

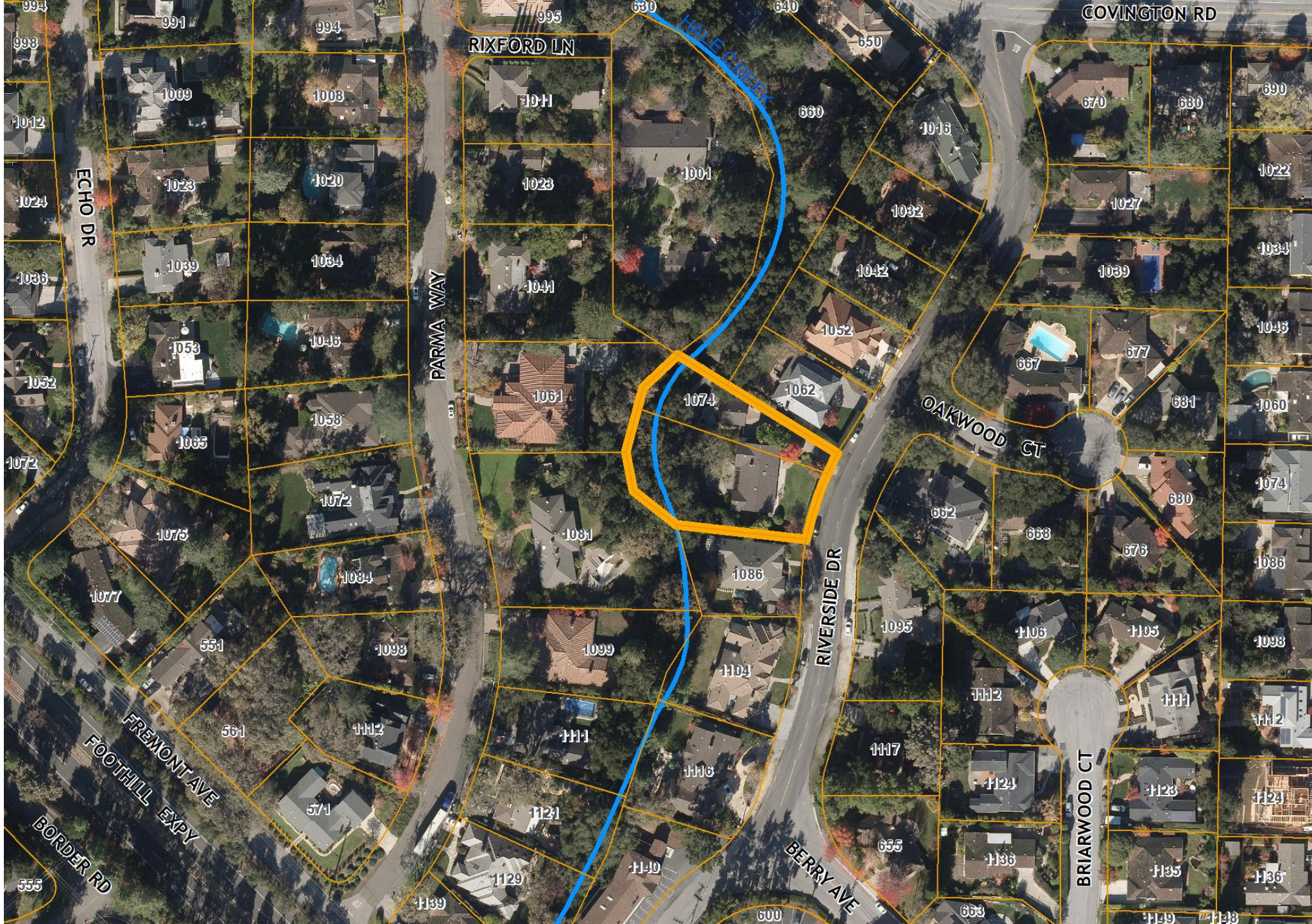


1074 Riverside Drive

CUP19-0004

Tuesday, April 13, 2021
7:00 pm



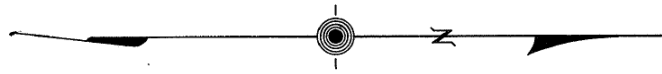


TRACT NO 372 LOS ALTOS RANCHO

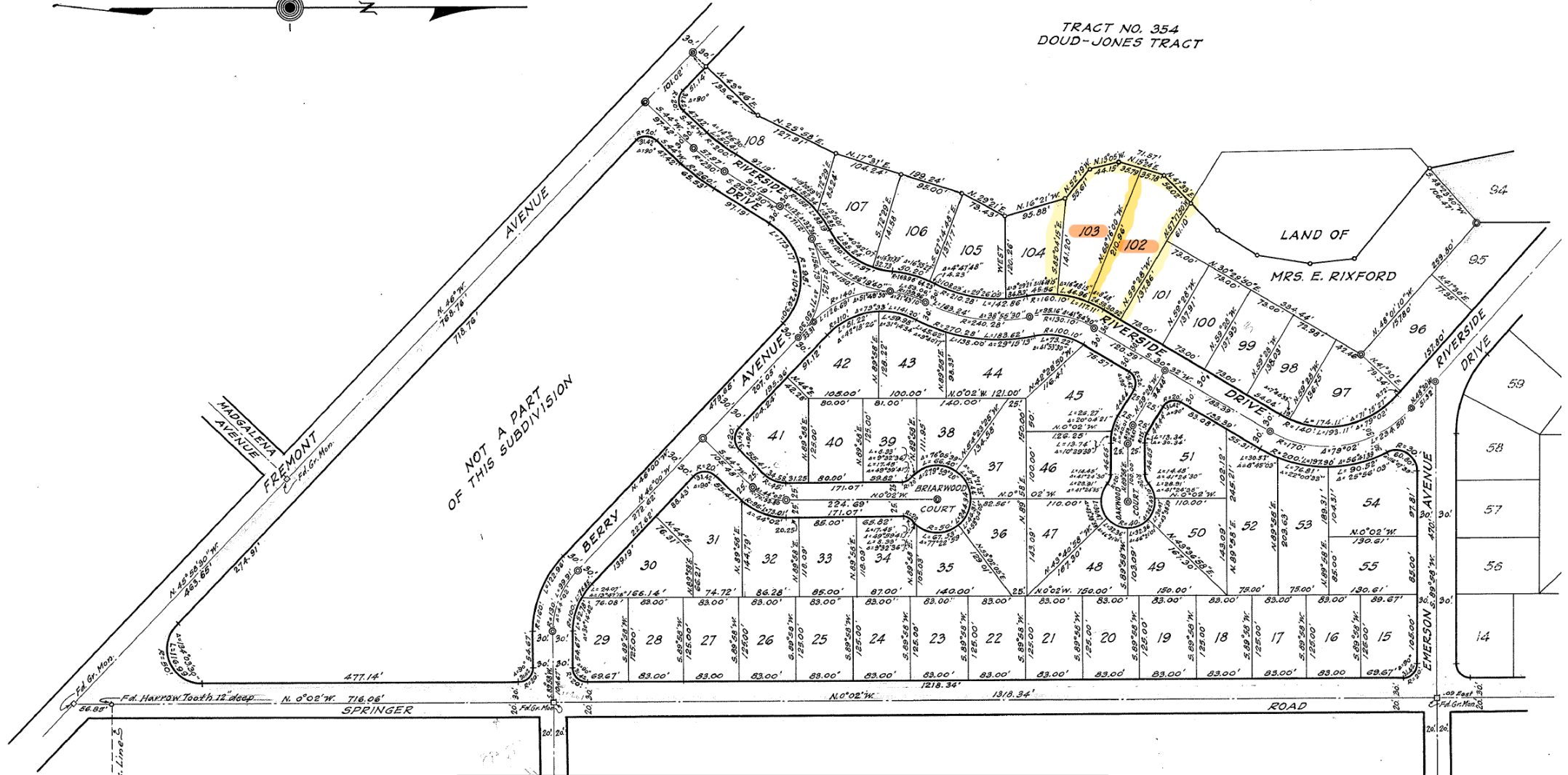
A RESUBDIVISION OF LOTS
1, 6, 10, 11 CAMPBELL RANCH
SANTA CLARA COUNTY, CALIF.

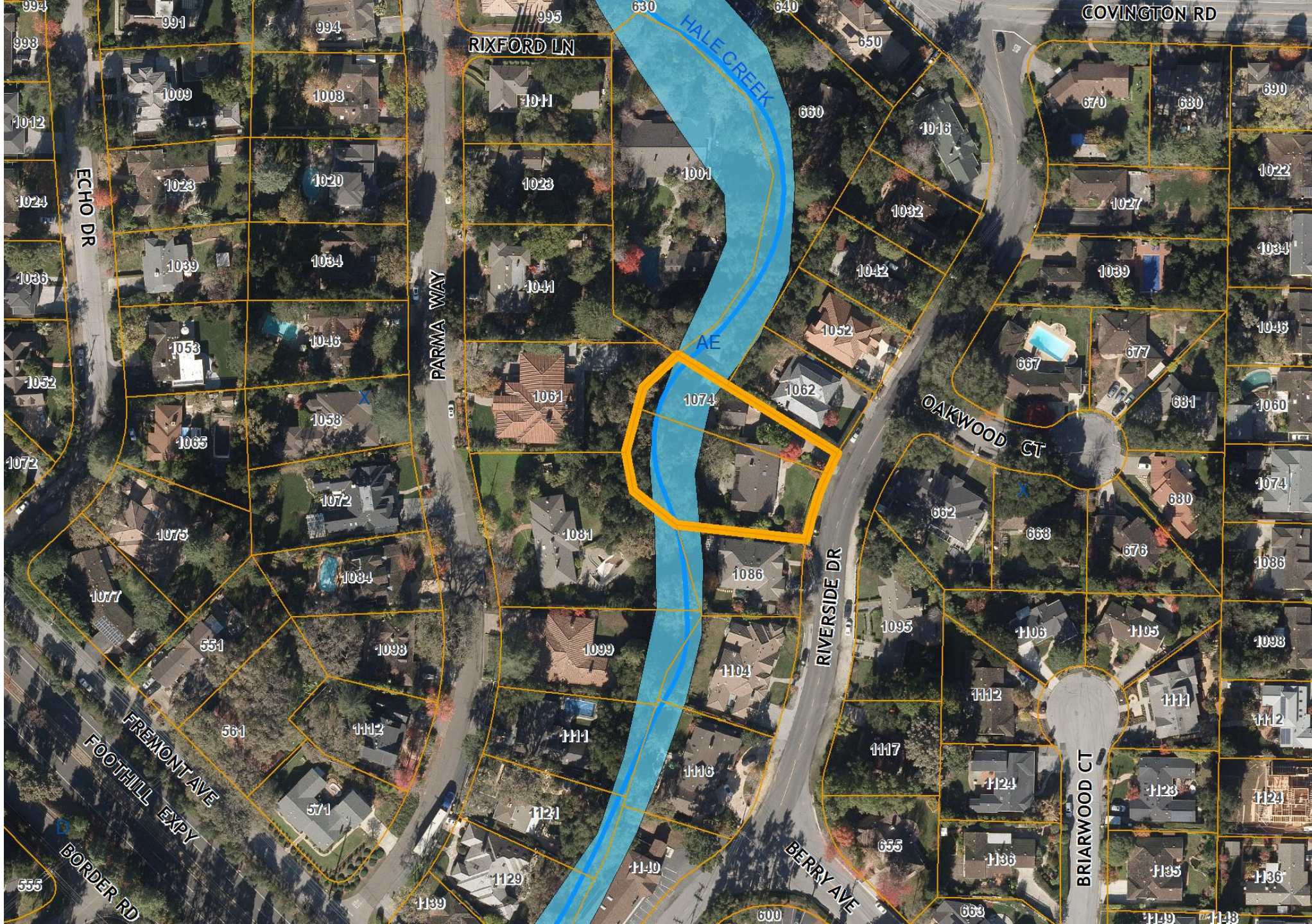
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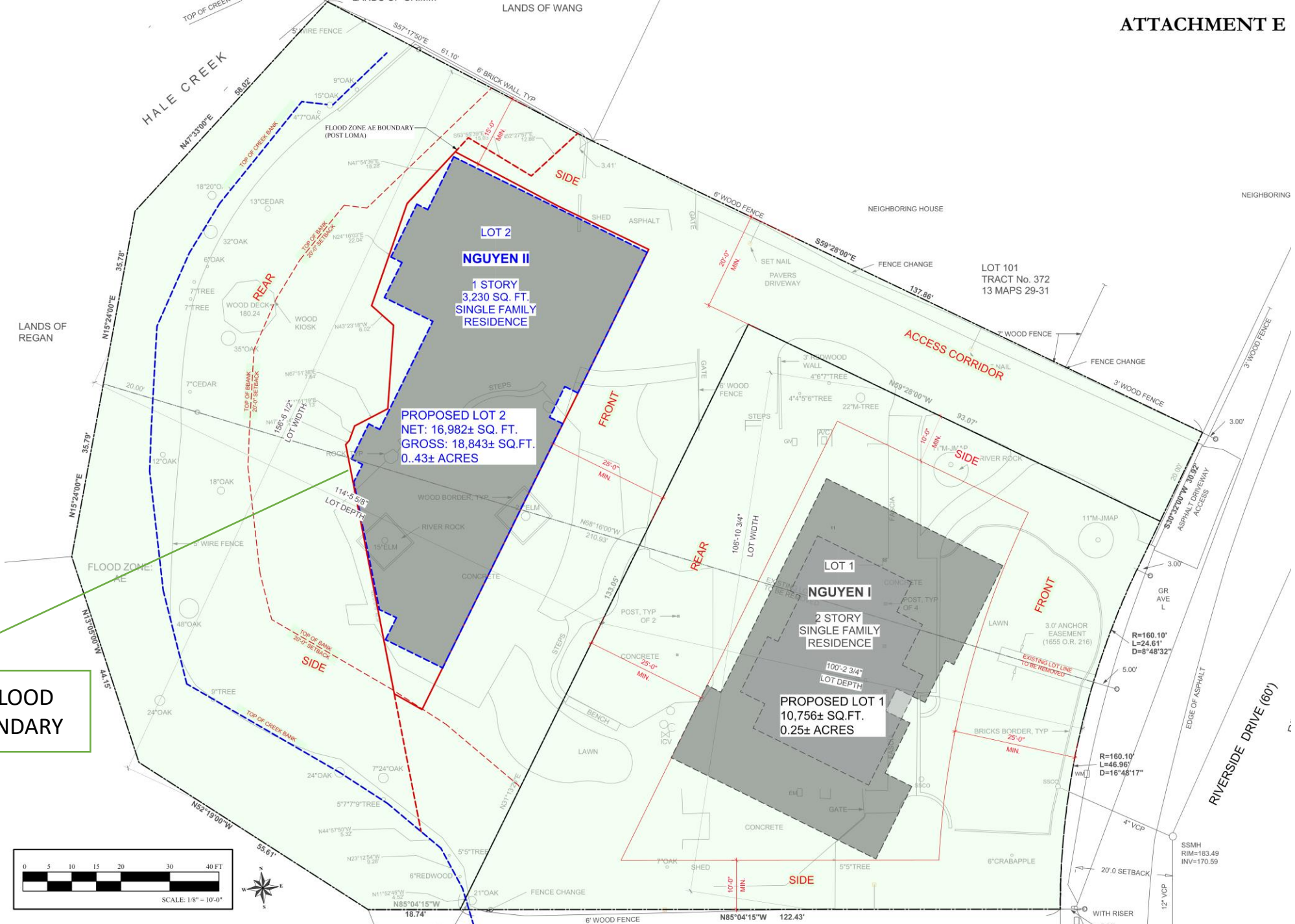
ARTHUR G. JAMES
CIVIL ENGINEER



TRACT NO. 354
DOUD-JONES TRACT







**NEW AE FLOOD
AREA BOUNDARY**



Recommendation

Planning Commission recommended City Council approval of Conditional Use Permit Application CUP19-0004 to allow for the creation of a new flag lot in accordance with the findings in Section 14.80.060 and subject to the approval conditions.



DISCUSSION ITEM

Agenda Item # 3

AGENDA REPORT SUMMARY

Meeting Date: April 13, 2021

Subject: Housing Element Annual Status Report

Prepared by: Guido F. Persicone, Planning Services Manager

Reviewed by: Jon Biggs, Community Development Director

Approved by: Brad Kilger, Interim City Manager

Attachment(s):

1. Housing Element Annual Progress Report Resolution
2. Annual Housing Element Progress Report (2020)

Initiated by:

Staff

Previous Council Consideration:

None

Fiscal Impact:

None anticipated

Environmental Review:

This is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) because there is no possibility that receiving an update on the Housing Element's Programs status will have a significant effect on the environment. As a separate and independent basis, this report is also exempt under CEQA Guidelines Section 15378(b)

Policy Question(s) for Council Consideration:

- None as this agenda item provides the public with an opportunity to comment on the status of the Housing Element's Programs and the City Council is being asked to receive the report.

Summary:

- Provides a Status Update on the Adopted Programs of the Housing Element
- Gives the Public an opportunity to provide oral testimony and written comment.

Staff Recommendation:

Provide the public with an opportunity to provide oral testimony or written comment and receive status report.

Reviewed By:

City Manager

City Attorney

Finance Director



Subject: Housing Element Annual Progress Report

Purpose

Provides the Public with an opportunity to give oral testimony and written comment and the City Council with an update on the status of the Housing Element's Programs.

Background

Pursuant to Government Code Section 65400, each city and county is required to prepare a Housing Element Annual Progress Report (APR) on the status of implementation of the jurisdiction's housing element. The APR must be prepared using forms and definitions adopted by the California Department of Housing and Community Development (HCD). The APR is meant to serve as a tool for implementing a jurisdiction's Housing Element. Los Altos's 2015-2023 Housing Element was adopted by City Council in March 2015 and certified by HCD the following October. The housing element is to be updated on an eight-year cycle as provided for by the regional planning oversight of the Association of Bay Area Government's compliance with SB 375 the Sustainable Communities and Climate Protection Act. Without this structure, housing elements must be updated on five-year cycles. State Legislations as part of the 2017 Housing Package (AB 879 and SB 35) added new reporting requirements which took effect with last year's 2018 APR.

Discussion

The Los Altos's 2020 APR is attached. To ensure accountability with respect to housing production, each site is identified by assessor's parcel number, and all milestones occurring in 2020 are indicated by date including submittal for planning entitlements, approval of planning entitlements, issuance of building permits, and issuance of certificates of occupancy/final inspections. The report also tracks affordability and if units are deed restricted to specified affordability levels. The report acknowledges if sites are considered to be infill or not and also tracks applications seeking new streamlining requirements. Progress on Housing Element program implementation is summarized toward the end of the APR (Table D). Housing element programs are listed with a brief explanation regarding progress made in the reporting year. Note that many programs continue to be addressed on an on-going basis, while other are complete.

Options

- 1) Give the public an opportunity to provide oral testimony and written comment; receive status report.

Advantages: Provides the public and the City Council with an update on the adopted programs of the Housing Element.

Disadvantages: None

- 2) No other feasible options were identified.

Advantages: Not applicable.



Subject: Housing Element Annual Progress Report

Disadvantages: Not applicable.

Recommendation

The staff recommends Option 1.

RESOLUTION NO. 2021-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
ACCEPTING THE HOUSING ELEMENT ANNUAL PROGRESS REPORT
FOR CALENDAR YEAR 2020 AUTHORIZING STAFF TO SUBMIT THE
REPORT TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
AND THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT**

WHEREAS, California Government Code Section 65400(2) requires the planning agency to provide an annual report to the City Council, the Governor' s Office of Planning and Research and the State Department of Housing and Community Development (HCD) regarding progress toward implementation of the housing element of the general plan; and

WHEREAS, planning staff has prepared an annual progress report for the calendar year 2020, utilizing the prescribed forms and instructions provided by the State Department of Housing and Community Development; and

WHEREAS, the City Council held a duly noticed public meeting on March 23, 2021; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby receives and accepts the annual progress report on the Housing Element, attached and incorporated by reference herein, and authorizes staff to forward the report to the Governor' s Office of Planning and Research and the State Department of Housing and Community Development pursuant to Government Code Section 65400(2).

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 13th day of April 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Neysa Fligor, MAYOR

Attest:

Andrea Chelemengos, MMC, CITY CLERK



DISCUSSION ITEM
AGENDA ITEM #3

AGENDA REPORT SUMMARY

Meeting Date: April 13, 2021

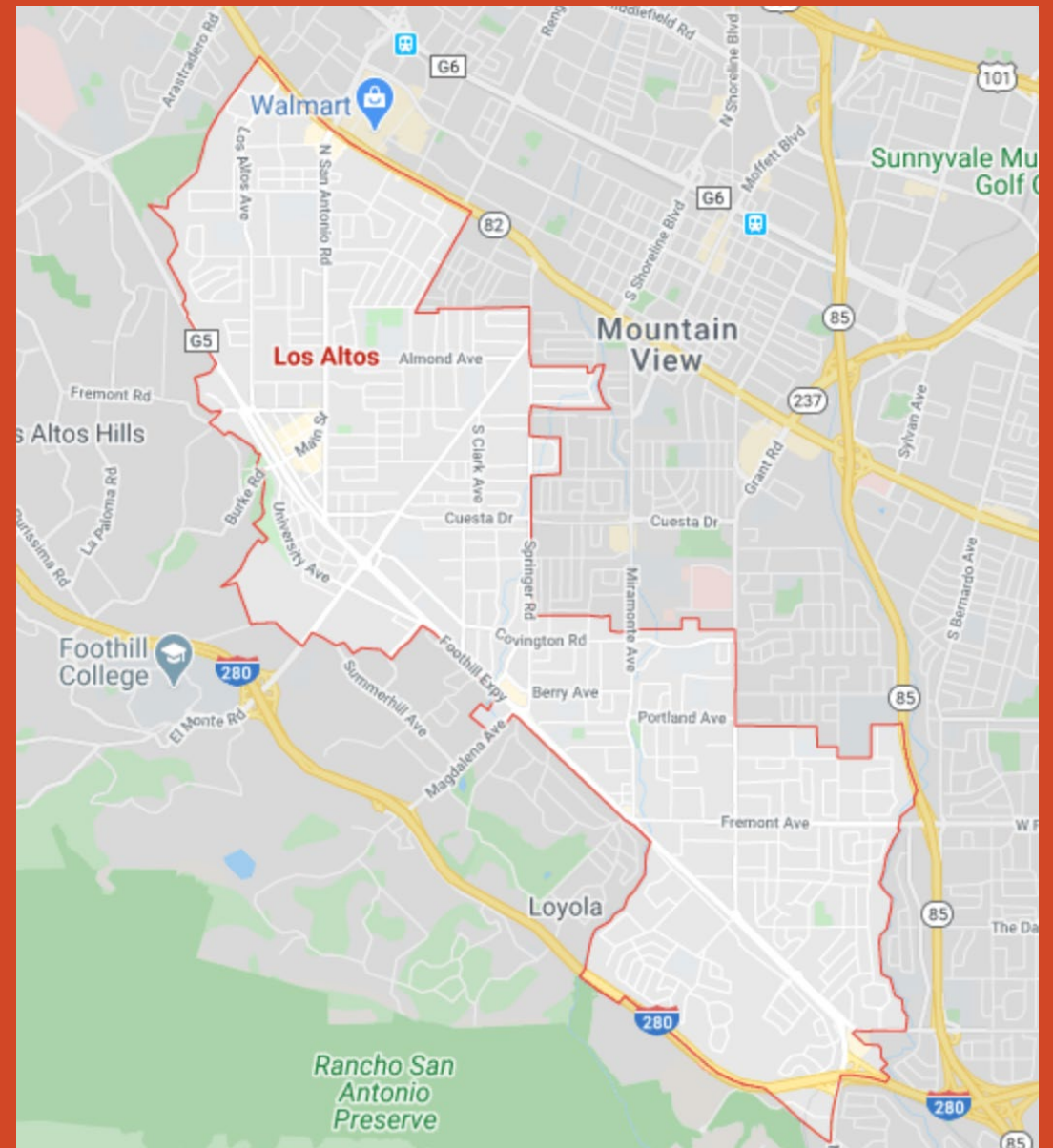
Subject: Housing Element Annual Status Report

Please click on the following link for the 2020 Housing Element Progress Report

https://cityoflosaltos-my.sharepoint.com/:f/g/person/achelemengos_losaltosca_gov/ErZiOLgikN9LqK8ngYllEAkBqMymyzNTeeRIfr1kY46QQw?e=zxIz46

Housing Element Annual Progress Report

by Jon Biggs, CDD and
Guido F. Persicone, Planning
Services Manager, AICP



Background

Pursuant to Government Code Section 65400, each city and county is required to prepare a Housing Element Annual Progress Report (APR) on the status of implementation of the jurisdiction's housing element.

Los Altos Housing Element was adopted in May of 2015

Policy Implementation-1

Program 1.4.2 – Evaluate design review process.

Program 2.3.1 – Implement density bonuses.

Policy 4.2– Facilitate new construction of second dwelling units.

Program 4.2.2 – Study the feasibility of reducing minimum lot sizes for second living units.

Policy Implementation-2

Program 4.3.3 – Consider reduced parking requirements for certain housing types and affordable housing units.



Program 4.3.5 – Initiate an affordable housing administration contract review and renewal.

Program 8.2.1 – Participate in the regional housing needs determination.

Site Specific Information

Address	444-450 Camino Real
Total Units:	26
BMR Units:	3-moderate 1-low income



Accessory Dwelling Units

Revised ordinance adopted on November 3, 2020

62 ADUs approved by Planning in 2020

25 ADUs finalized by the Building Division

Next Steps

Summer of 2021-new Los Altos RHNA number should be identified.

January 2023-Los Altos Housing Element has to be completed.

Recommendation

Adopt a resolution approving the Los Altos Housing Element Annual Progress Report (APR) and direct staff to send the resolution to State HCD and the Office of Planning and Research(OPR).

From: [REDACTED]
To: [Public Comment](#)
Subject: City council meeting April 13 - agenda item #3
Date: Thursday, April 8, 2021 10:42:25 AM

Multiple national and local surveys in the Bay Area have found that less dense townships and cities are having robust sales and increases in home values. Residents are leaving big cities impacted by crowding, crime and lack of safety.

Los Altos buyers are all seeking space, safety, and sense of community.

I am a local real estate broker, who has worked in the surrounding Los Altos areas for over 30 years. I speak for the majority of realtors who are very concerned with the direction of some of the decisions looming over the City Council. We fear the council is not supporting our single family neighborhoods. Buyers come to Los Altos for its quiet friendly community, spacious yards, quiet and serene neighborhoods, separate single family homes, low crime, safety outside the home, and good schools.

Introduction of boarding houses and duplex/fourplex in fluxing, will NOT keep our single family homes intact. If the single family homes are not kept intact, the dissolution of the community will start. History of big cities is easy to find. Don't think it cannot happen here.

The consequences of any proposal to break up the single family neighborhoods is devastating. Not only will we lose safety, community, loss of parents enrolling their children in the schools & supporting the schools; the value of the homes will decline. Los Altos property tax rolls contribute a majority of the income needed to run this town. Any danger to this income is untenable. We already have a huge loan to repay with an uncertain payback timeframe.

Before the Council makes any decisions moving forward with the ideas of boarding houses, duplex/fourplex approvals; every homeowner should be polled. I think the council will find some residents would be okay with the change, but the number of residents that want it next door to them is very, very minimal. NO resident wants more crime or less safety.

I urge the community to consider your future.

Terri Couture

***Wire Fraud is Real*. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions.** Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.



LOS ALTOS RESIDENTS

April 11, 2021

Mayor Neysa Fligor
Vice Mayor Anita Enander
Councilmember Lynette Lee Eng
Councilmember Sally Meadows
Councilmember Jonathan Weinberg

Re: Public Comment on Agenda Item #3, Housing Element, City Council Meeting, April 13, 2021

Dear Mayor, Vice Mayor, and Councilmembers:

As a City we have, in good faith, approved many projects to increase the availability of affordable housing, yet very few have been built. The City has no control over when or if developers pull a permit to build. The City does not build housing. The City has encouraged the building of ADUs, yet they are currently not counted towards our RHNA numbers.

As we face ever increasing RHNA numbers forced upon us by the State, we hear about increasing density, lot splitting, building fourplexes or more on single family lots and rezoning. **Affordable** housing should be a priority for our City, and we encourage Council to find more opportunities like the City/County 330 Distel Circle project to pursue. Currently our inclusionary housing ordinance requires only 15% of a development provide Below Market Rate Housing (BMR) units. Along with having a goal of increasing below market rate housing units, we ask that City Council also set a goal of saving and protecting R1 zoning. Current zoning for single-family home zoning should not be changed from its current status. Many of us moved to Los Altos because of the charm and character of the town, to raise our families, and to live in a town that welcomes diversity.

We encourage the City spend the necessary time and money to conduct deep and effective community outreach including a scientifically-designed, statistically significant survey of Los Altos residents, especially homeowners, to determine whether the majority of Los Altans favor saving single family homes and consider that goal of paramount importance. Housing decisions should be carefully assessed, including their impact on traffic and infrastructure and the need for parks/open space for these new residents. Many surrounding towns, such as Los Altos Hills, are asking the same from their local officials.

We recognize that there is an onslaught of bills being proposed and some that have been passed by Sacramento legislators that aim to usurp control of local zoning from cities and towns. We ask that you work diligently to make certain that the Los Altos City Council retains as much control as possible over the City's zoning codes which play a major role in maintaining the charm and character of Los Altos and that you also focus on providing **affordable** housing in Los Altos.

Sincerely,

Los Altos Residents
www.LosAltosResidents.org

From: [REDACTED]
To: [Public Comment](#)
Cc: ComplianceReview@hcd.ca.gov
Subject: PUBLIC COMMENT AGENDA ITEM 2 - APRIL 13, 2021
Date: Monday, April 12, 2021 10:15:05 AM

Hello! I'm Adam Buchbinder, a Planning Commissioner for the city of Campbell, though I'm writing here in a personal capacity. The RHNA process depends on each city accurately reporting their housing production; Campbell relies on Los Altos, and vice versa.

There are some errors I noticed in your draft Annual Progress Report.

- Table A2, Cell E13, the jurisdiction's tracking ID should be "D19-0001", not "DR19-0001"; the latter was a 2019 design review for 1445 Brookmill Rd.
- Table A2, Row 15, the ADU at 1456 FALLEN LEAF LN had its building permit, BLD19-01024, issued 10/16/2019, not during 2020, and should not be counted for 2020's APR.

Furthermore, past production was misreported in several instances, but the summary appears not to have been updated. For example, the 2016 production numbers were reported in 2017 as 52 single-family homes and two ADUs; see page 5 here: https://los-altos.granicus.com/MetaViewer.php?view_id=4&clip_id=1201&meta_id=50429

I checked the city's records for the first three months of 2016; of fifteen single-family homes reported, thirteen were immediately preceded by demolitions. This is clearly wrong--if everyone rebuilt their homes, the city wouldn't be producing any new housing! Specifically, the instructions for the Housing Element Annual Progress Report (APR) state: "Net new units: If a building is being demolished to build the new units, the APR should report net new units. For example, if 10 units are being demolished on a site to build a 100-unit building, the APR should report 90 new units."

The city has stopped reporting teardowns-and-rebuilds as new construction this year, but the incorrect numbers for past years are still being reported. It looks like the vast majority of the city's production (87% over the period I checked!) was incorrectly reported. This was reported to HCD last year; this email is also being CC'd to HCD's compliance review department.

Please correct both the current and retrospective housing production numbers before submitting this report to HCD. Thank you for your time and consideration.

Adam Buchbinder



DISCUSSION ITEM

Agenda Item # 4

AGENDA REPORT SUMMARY

Meeting Date: April 13, 2021

Subject: Waiver Request of Utility, Maintenance and Repair Fees by the Los Altos Stage Company

Prepared by: Donna Legge, Recreation and Community Services Director

Approved by: Brad Kilger, Interim City Manager

Attachment(s):

1. January 28, 2021 Letter from the Los Altos Stage Company

Initiated by:

Los Altos Stage Company

Previous Council Consideration:

None

Fiscal Impact:

The following action will reduce operational revenue and be absorbed in the general fund operational budget in the amount of \$6,565.13

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Does Council want to deny the request for a one-time fee waiver of the utility, maintenance and repair fees for the Los Altos Stage Company and offer a deferred payment plan?
- Does Council want to subsidize the cost of the utility, maintenance and repair fees and reduce the revenue intended to offset the cost of owning and operating City facilities?
- Does Council want to make a one-time consideration to waive a portion of the utility, maintenance and repair fees and offer a deferred payment plan for the balance owed?

Summary:

- Per the March 11, 2008, Fee Waiver Policy, fee waivers over \$1,000 must be discussed and approved by Council
- The City entered into a Use Agreement with the Los Altos Stage Company for the use of the Bus Barn Theater on June 26, 2012
- Per the Agreement, the City waives the Bus Barn facility rental fees for the Los Altos Stage Company for community theatre purposes

Reviewed By:

Interim City Manager

BK

City Attorney

JH

Finance Director

JM



Subject: Waiver Request of Utility, Maintenance and Repair Fees by the Los Altos Stage Company

- Per the Agreement, the Los Altos Stage Company shall pay 70% of all utility expenses including water, gas and electricity, janitorial supplies, repairs, and 100% of telephone charges
- The COVID-19 Pandemic has limited the Los Altos Stage Company's ability to serve the community and generate revenue

Staff Recommendation:

Consider request from the Los Altos Stage Company for a one-time waiver of the utility, maintenance, and repair fees in the amount of \$6,565.13, covering a period of 15 months from July 2019 to September 2020. Determine preferred action.



Subject: Waiver Request of Utility, Maintenance and Repair Fees by the Los Altos Stage Company

Purpose

Consider a one-time waiver of utility, maintenance, and repair fees for the Los Altos Stage Company

Background

Previously known as the Bus Barn Stage Company, the Los Altos Stage Company (Stage Company) arranged to have its mail directed to the Hillview Community Center Recreation Office. In preparation for the demolition of the Hillview Community Center, the scheduled uses ended in March 2019 with the Recreation Office vacating to the Underground in August of 2019. At that time, the Stage Company secured a P.O. Box to receive the Stage Company mail.

In January 2021, the Stage Company notified the City that it had not received its quarterly invoices for the utility, maintenance and repair expenses associated with the use of the Bus Barn Theater. After further review, the Finance Department had been mailing the invoices to the Hillview Avenue address and not to the Stage Company P.O. Box address. In response to the Stage Company inquiry, the following invoices were re-issued electronically to the Stage Company in January 2021:

Invoice #	Billing Period	Description (70%)	Amount
100653	July to September 2019	PG&E	\$ 1,192.97
		Maintenance & Repair	\$ 483.23
	October to December 2019	PG&E	\$ 758.88
		Maintenance & Repair	\$ 520.57
	January to February 2020	PG&E	\$ 645.36
		Maintenance & Repair	\$ 786.95
100653	*March 2020	PG&E	\$ 110.43
		Maintenance & Repair	\$ 690.47
100662	*April to June 2020	PG&E	\$ 154.76
		Maintenance & Repair	\$ 1,232.39
100680	*July to September 2020	PG&E	\$ 206.23
		Maintenance & Repair	\$ 583.79
		Total Request	\$ 6,565.13

*COVID-19 Time Period (seven months) = \$2,978.07

The COVID-19 Pandemic has impacted the Los Altos Stage Company’s ability to serve the community and generate revenue to offset its operational costs. While the shelter in place orders were initiated in March 2020, the Los Altos Stage Company is requesting a waiver of fees effective July 2019 (nine months prior) through September of 2020, totaling a 15-month grace period. The seven months



Subject: Waiver Request of Utility, Maintenance and Repair Fees by the Los Altos Stage Company

of COVID (March through September) represent a PG&E, maintenance, and repair expense of \$2,978.07. Per the attached letter, it is anticipated that the theater will not be open until September 2021.

At its regular meeting of March 11, 2008, City Council adopted the following Fee Waiver Policy:

For fee waiver requests from community and non-profit groups for one-time events or facility usage, the City Manager or his/her designee is authorized to consider the request and to render a decision IF the amount of the waiver is less than \$1000. For requests greater than \$1000, a written request shall be placed on the agenda of the City Council for its determination.

Discussion/Analysis

In addition to the Los Altos businesses, the City operations as well as Los Altos non-profits have been economically impacted by the pandemic. The one-time request by the Los Altos Stage company will not be a significant financial impact to the City.

Should Council desire to waive a portion or full amount of the request, it is recommended that the Council direct the City Attorney to draft an amendment to the Use Agreement waiving fees one time only. The waiver is not a gift of public funds if the City Council, as the agency's governing body, determines that there is a public benefit in granting the waiver, such as providing performing arts, music, history, and culture to the Los Altos community while providing employment and maintaining the existing relationship between the City and the Los Altos Stage Company. Without the City's financial support, the Los Altos Stage Company may not survive the impacts of COVID.

Options

- 1) Deny the request for a one-time fee waiver of the utility fees for the Los Altos Stage Company and offer a deferred payment plan.

Advantages: The City will recover the intended revenue needed to assist with overall fiscal shortfalls. Provides a payment plan that will allow time to catch up with the intended payment.

Disadvantages: Creates a greater burden on the Los Altos Stage Company to catch up.

- 2) Approve the one-time waiver of the utility, maintenance, and repair fees in the amount \$6,565.13.

Advantages: Shows support for a long-time partner that benefits music, art and culture that serves all ages.



Subject: Waiver Request of Utility, Maintenance and Repair Fees by the Los Altos Stage Company

Disadvantages: Reduces the revenue intended to offset the cost of owning and operating City facilities. Sets a precedence for other Los Altos non-profits that are struggling and need support.

- 3) Approve the one-time waiver of a portion of the utility, maintenance and repair fees and offer a deferred payment plan for the balance owed. This could be a percentage of the total amount owed or actual expenses for an identified period of time, such the seven months of COVID that are represented by the amount of \$2,978.07.

Advantages: Fairly shares the burden of the full amount owed.

Disadvantages: Reduces intended revenue and covers only a portion of the amount being requested.

Recommendation: Staff recommends that City Council determine a preferred action.



January 28, 2021

Mayor Neysa Fligor and City Council Members
1 North San Antonio Road
Los Altos, CA 94022

Dear Mayor Fligor and Council,

LOS ALTOS STAGE COMPANY

PO BOX 151

LOS ALTOS, CA 94023

650.941.0551

www.losaltosstage.org

Board of Directors

Vicki Reeder
President

Richard Lonergan
Treasurer

Roy Lave
Secretary

Eileen Eng
Director

Scott Hunter
Director

Mike Kasperzak
Director

Karla Lacey
Director

Ying Liu
Director

Petrita Lipkin
Director

Vivian Lufkin
Director

John Sylvester
Director

Gary Landis
Executive Director

Los Altos Stage Company, like all other cultural arts organizations, closed our doors last March as the Covid pandemic struck our community and the rest of the world. We canceled rehearsals and performances, put the costumes under construction back in the closet, and told the actors and technicians that all scheduled events were “on hold.” Little did we realize that ten months later, a “return to normal” is still some months off in the future. (We project that September is a feasible reopening date.)

We recently received a long-delayed invoice from City Hall, asking for reimbursement of \$6,565.13 for our share of the utilities for the Bus Barn Theater for the past year. (Los Altos Youth Theater pays 30%, LASC pays the rest, per our “Use Agreement.”)

I am asking you for a one-time waiver for these expenses. LASC has been able to stay solvent by applying for PPE loans, appealing for donations, holding a successful virtual fundraiser, and furloughing some staff members. It would help us greatly if this payment could be waived until we can once again open our doors to patrons.

According to Parks and Recreation Director Donna Legge, only the council can approve my request at one of your upcoming public meetings.

I respectfully request that you do this. I am happy to speak with any of you if you have questions or would like more information.

Thank you in advance for considering my request to waive our utility sharing costs for the past year.

Vicki Reeder
Los Altos Stage Company Board President



DISCUSSION ITEM

Agenda Item # 5

AGENDA REPORT SUMMARY

Meeting Date: April 13, 2021

Subject: Phased Opening Plan for Los Altos Community Center

Prepared by: Donna Legge, Recreation and Community Services Director

Approved by: Brad Kilger, Interim City Manager

Attachment(s):

Initiated by:

City Staff

Previous Council Consideration:

None

Fiscal Impact:

None

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Does Council wish to support staff's recommendation for summer and fall recreation and community services programs?
- Does Council wish to support the recommended phased opening plan for the Los Altos Community Center?

Summary:

- On April 25, 2017, the City Council approved the creation of a Capital Improvement Project for the design and construction of a new Community Center
- On July 30, 2019, the City Council authorized the City Manager to execute a construction contract with Gonsalves & Stronck Construction Company Inc. for the Los Altos Community Center Project
- The completion of construction has been delayed due to the impacts of the COVID-19 Pandemic and inclement weather
- The Los Altos Community Center is projected to be completed by June 10, 2021
- The COVID-19 protocols are unpredictable and difficult to plan around
- Due to COVID reductions in recreation programming, current staff resources are limited

Reviewed By:

Interim City Manager

BK

City Attorney

JH

Finance Director

JM



Subject: Phased Opening Plan for Los Altos Community Center

- Staff is seeking direction and support to facilitate a successful opening of the Community Center while offering limited programs and services due to the impacts of COVID-19

Staff Recommendation:

Support proposed summer and fall programming including a phased opening plan for the Los Altos Community Center.



Subject: Phased Opening Plan for Los Altos Community Center

Purpose

Seek Council support for proposed summer and fall programming including a phased opening plan for the Los Altos Community Center due to limited staff resources and a priority to focus on the successful operation of the department and Community Center pending COVID protocols.

Background

The Recreation and Community Services Department executed a Professional Services Agreement with Blue Point Planning in April 2020, to assist with an organizational assessment and strategic plan including staffing, scheduling, programming, operations, and policies. This includes collaborating with other City departments, organizations, and community members to prepare for the opening of the new Los Altos Community Center in the Summer of 2021. Several outreach exercises were conducted by Blue Point, including individual interviews and focus groups held in August 2020, followed by a scientific survey conducted by Godbe Research in October 2020.

At its regular meeting of March 10, 2021, Blue Point Planning and staff presented the data and findings to the Parks and Recreation Commission (PARC). The PARC shared their vision of success for the Community Center and discussed staff's plan for the summer and fall.

The findings are the basis for an Organizational and Community Center Assessment which will be presented to the City Council on April 27, 2021. At that time, staff will seek direction related to the establishment of cost recovery targets for the Recreation and Community Services Department, and additional staffing resources that will be incorporated into the FY 2021-23 Budgets for Council consideration.

Discussion/Analysis

At its regular meeting of February 23, 2021, the City Council adopted its 5-year Strategic Goals for 2021, which included the following new goal:

Transitioning Through Change: The City Council will proactively address the impact of COVID-19 and other consequential changes on the community during 2020 and 2021 to ensure Los Altos successfully navigates these transitions to be an even stronger community

While COVID-19 has created construction delays in the Community Center, it has also impacted the operations of the Recreation and Community Services Department. This includes the complex navigation of staffing, modifying special events, virtual programming, information and referral, park and facility rentals, revenue targets, emergency services, public/commission meetings, community engagement, marketing, and community and staff morale.



Subject: Phased Opening Plan for Los Altos Community Center

Considering the current State and County COVID-19 response guidelines and the need to exercise caution in reinstating the City’s recreation programs, staff is recommending the following adjustments to the summer and fall 2021 programming and events, including to facilitating the opening of the Los Altos Community Center:

- Continue virtual and select outdoor camps and programming
- Move in, and complete operational training - mid-summer 2021
- Allow facility rentals for in-person gatherings - August 2021
- Plan and host Grand Opening and in-person programming - fall 2021
- In-person special events - October 2021

Recreation staff will continue to work with all applicable City departments and divisions (Risk Management, HR, Parks, Facilities) to facilitate this phased opening plan.

Options

- 1) Support proposed summer and fall programming including a phased opening plan for the Los Altos Community Center.

Advantages: Staff will have the ability to focus on planning, opening, and operating the Community Center, clear dates and timelines, and the ability to communicate appropriately to the community. Staff will continue to coordinate alternative offerings including virtual programs and select outdoor activities.

Disadvantages: Recreation programs, classes, events and facility rentals will be limited in the summer and fall 2021.

- 2) Do not support proposed summer and fall programming including a phased opening plan for the Los Altos Community Center.

Advantages: None

Disadvantages: Staff will not have the ability to focus on planning, opening, and operating the Community Center, and will not have clear dates and timelines to plan accordingly.

Recommendation

The staff recommends Option 1.



DISCUSSION ITEM

Agenda Item #6

AGENDA REPORT SUMMARY

Meeting Date: April 13, 2021

Subject: Approval of the FY 2021-23 Objectives for the City Council's 2021 Strategic Priorities

Prepared by: Brad Kilger, Interim City Manager

Attachment(s):

1. City Council Adopted 5-year Strategic Goals for 2021 and Draft FY 2021-23 Objectives
2. Resolution No.2021-09: City Council 2021 Goals
3. January 30, 2021 retreat meeting notes (revised 4/3/21)
4. Community survey and public comments – These items can be found online at: <https://www.losaltosca.gov/citycouncil/page/city-council-retreat>.

Initiated by:
City Council

Previous Council Consideration:

City Council regular meeting, February 23, 2021
City Council Retreat, January 30, 2021

Fiscal Impact:

Unknown at this time

Environmental Review:

Not Applicable

Policy Question(s) for Council Consideration:

- Do the attached City Council draft Strategic Objectives accurately reflect the Council's priorities for Fiscal Years 2021-22 and 2022-23?

Summary:

- Annually the Los Altos City Council adopts a list of Strategic Priorities to guide the Council's budget decisions and allocation of City resources, including staffing
- The City Council met in a retreat format on January 30, 2021 to discuss their goals and objectives for the next strategic planning period (three to five years)
- At the conclusion of the retreat, the City Council agreed to a phased approval process for the Strategic Priorities

Reviewed By:

City Manager

City Attorney

Finance Director

BK

JH

JM



Subject: Approval of the FY 2021-23 Objectives for the City Councils 2021 Strategic Priorities

- After listening to the Council's discussion at the retreat and reviewing the meeting notes, staff used their best professional judgement in developing a list of draft goals and objectives for Council consideration
- On February 23, 2021, the City Council reviewed, amended, and adopted Resolution 2021-09 adopting the 5-year Strategic Goals.
- In follow-up staff reexamined the draft FY 2021-23 Objectives in relation to the 5-year Goals and made final edits for presentation to the City Council for final consideration and approval.

Staff Recommendation:

The City Council should review the attached draft objectives, amend as necessary and adopt the final FY 2021-21 Objectives for the Council's 2021 Strategic Priorities.



Subject: Approval of the FY 2021-23 Objectives for the City Councils 2021 Strategic Priorities

Purpose

The City Council is asked to approve its FY 21-23 Strategic Objectives for 2021.

Background/Discussion

The City Council conducted their annual strategic goal setting retreat on Saturday January 30, 2021. This process used the Council's 2020 strategic goals and objectives as its starting point for assessing what is of strategic importance in 2021 and moving forward. The planning time horizon agreed to by the City Council was 3 to 5 years.

At the retreat, the Council first discussed their 5-year strategic goals for 2021, and then discussed potential one-to-two-year objectives for those goals. The discussion by the Council at the retreat involved a visioning process and building consensus around shared interests, not taking formal votes. Therefore, as represented in the attached meeting matrix, the Council's discussion resulted in a general scheme for staff to follow in developing the draft goals and objectives for the Council to review. It is therefore important to understand that staff did their best to listen to and interpret the sense of the Council in drafting the new goals and objectives. It was expected that the Council would thoroughly review the draft language and adopt final goals and objectives that reflect their 2021 priorities for Los Altos.

The City Council also agreed to a phased approach to adopting the new Strategic Priorities. The process involves the following: 1) returning to Council for the review and adoption of the 5-year goals; 2) following adoption of the goals, staff will finalize the FY 2021-22 Objectives and return to Council for review, approval and initial prioritization of those; 3) using the adopted Goals and Objectives, and in conjunction with development of the bi-annual budget, staff will prepare a two-year Implementation Plan that will incorporate estimated costs, staffing requirements, and other legal, regulatory and/or procedural factors effecting implementation of the objectives and return to Council for final prioritization; and 4) staff will then develop individual Workplans for each objective.

On February 23, 2021, the City Council reviewed, amended, and adopted Resolution No. 2021-09 approving the 5-year Strategic Goals. After reexamining the draft objectives in relation to the Council's adopted goals staff made some suggested edits, which included additional objectives and suggested projects/tasks that reflected key projects and programs identified by staff and several of the commissions in their annual work plans. It will be noted that the total number of draft objectives currently exceeds existing staff resources so there will be a need to prioritize which objectives the Council desires to be completed during the FY 2021-23 cycle. Therefore, it is anticipated that as part of the upcoming FY 2021-23 budget process staff will evaluate which



Subject: Approval of the FY 2021-23 Objectives for the City Councils 2021 Strategic Priorities

objectives will require additional staff resources and/or funding to implement them to assist Council in determining which objectives to prioritize.

Recommendation

Staff recommends the City Council review, amend, and approve the attached draft City Council 5-year Strategic Goals for 2021.

**LOS ALTOS CITY COUNCIL
ADOPTED 5-YEAR STRATEGIC GOALS AND DRAFT FY 2021-23
OBJECTIVES**

MARCH 25, 2021

NOTE: STAFF/COMMISSION RECOMMENDATIONS IN PARENTHESIS

GOAL 1: HOUSING

The City of Los Altos will support the creation of housing that is diverse, equitable, and affordable for all income levels in the Community and support funding and legislation that will help the City to do so and retain its flexibility in zoning decisions.

- Objective No. 1: Update the Housing Element in partnership with the community through a constructive, collaborative, and efficient process, consistent with the housing needs identified in the final Regional Housing Needs Allocation (RHNA) and have the Housing Element certified by the California Department of Housing and Community Development (HCD) within the required statutory deadlines.
- Objective No. 2: Collaborate with the County of Santa Clara and support the development of 330 Distel Circle for a rental housing project with significant focus on supportive and very low/low-income housing.
- Objective No. 3: Collaborate with Alta Housing to establish a prequalification process focused on accessibility of housing opportunities for below market rate units.
- Objective No. 4: Enhance affordable housing in-lieu and affordable housing impact fee programs.
- Objective No. 5: Develop policies and approaches to increase affordable units through public/private partnerships and other methods for all new projects in the CT zone.
- Objective No. 6: Support legislation to increase funding for affordable and workforce housing and associated infrastructure. Ensure cities retain flexibility for zoning and approval of housing based on the land-use needs of each community.

GOAL 2: LAND USE

The City of Los Altos will implement policies that support a land-use mix and density that reflect the values of the Community, including seeking to protect and increase its green space, while ensuring compliance with any applicable laws and regulations.

- Objective No. 1: Ensure zoning codes and other land use documents provide objective standards as required by State law while maintaining maximum City discretion.
- Objective No. 2: Reevaluate land use mix and density for each of the City's commercial districts and take into consideration elements such as economic vitality, neighborhood context, character, RHNA requirements, inclusionary zoning, and updated zoning codes/objective standards to achieve desired results.
- Objective No. 3: Proactively endeavor to increase and protect the City's park land with an emphasis on the acquisition and preservation of green space or open space.
- Objective No. 4: Update the Housing Element consistent with the housing needs identified in the final Regional Housing Needs Allocation (RHNA) and have the Housing Element

certified by the California Department of Housing and Community Development (HCD) within the required statutory deadlines.

- Objective No. 5: Evaluate existing zoning regulations and develop amendments that support a land use mix and density that reflects the values of the Community (Staff recommendation: implements PC/DRC workplans).
- Objective No. 6: Develop scope of work and funding for a comprehensive update to the City's General Plan (Staff recommendation – year 2)

GOAL 3: FISCAL SUSTAINABILITY

The City of Los Altos will continue to be responsible financial stewards of its resources and assets to ensure long-term fiscal sustainability by practicing sound financial management and fiscal transparency, while providing fiscally sustainable government services that address the needs of the community.

- Objective No. 1: Closely monitor the economic recovery and financial impacts associated with the ongoing COVID-19 pandemic and update the City Council and the community on a timely basis.
- Objective No. 2: Seek federal and state grant funding available through FEMA, CARES and others for the City resources expended in response to COVID-19.
- Objective No. 3: Evaluate the staffing and resource needs of the Finance Division.
- Objective No. 4: Through the biennial budget development process, continue to control and/or reduce costs to achieve a fiscally sustainable budget, while maintaining adequate fund balance reserves.
- Objective No. 5: Annually evaluate the City's existing user fee schedules to ensure reasonable costs of providing services are appropriately assessed. (Staff recommendation: update cost allocation study)
- Objective No. 6: Continue to develop and implement plans at minimum biannually to ensure effective and sustainable maintenance of City utilities, transportation infrastructure, buildings, and properties (e.g., CIP, facility assessment, equipment replacement, infrastructure master plans).
- Objective No. 7: Proactively pursue ways to make financial information publicly available, accessible, and easy to understand to the community (e.g., fully utilize financial enterprise system).
- Objective No. 8: Proactively identify and monitor long-term financial liabilities, including unfunded pension obligations, and take actions to manage these commitments that prioritize the City's long-term financial sustainability. (Finance Commission workplan)
- Objective No. 9: Review the recommendations of the City Council's Ad-Hoc Subcommittee on Financial Practices for policy and procedural changes that are desired by the City Council.
- Objective No. 10: Establish a cost recovery policy for the Recreation and Community Services Department (Parks and Recreation Commission and Recreation and Community Services Department Operational Assessment recommendations).

Goal 4: Community Safety

The City of Los Altos will continue to implement plans, strategies, and educational opportunities to ensure public safety, traffic safety, and emergency preparedness services are done in a responsive, equitable, professional, socially responsible, and trustworthy manner.

- Objective No. 1: Strengthen Code enforcement to support proactive engagement and to provide enforcement trending data that council can use to direct proactive revision of city ordinances.
- Objective No. 2: Create safe multi-modal transportation solutions that align Community needs with city priorities through public engagement, engineering, education, and enforcement.
- Objective No. 3: Achieve an overall PCI (Pavement Condition Index) of 75 by 2026 by maintaining an annual resurfacing budget of \$3.5 million. For economies of scale, integrate multi-modal safety amenities into resurfacing projects when feasible (Staff budget recommendation).
- Objective No. 4: Assess long-term cumulative impacts from public and private development projects and regional traffic through established environmental review processes (CEQA), including the newly required Vehicle Miles Traveled (VMT) analysis, and the traffic impact fee (TIF) program.

Goal 5: Asset Management

The City of Los Altos will set clear expectations and allocate the necessary funding to maintain and improve City facilities and infrastructure that are necessary to provide high-quality services for the well-being of residents.

- Objective No. 1: No. Complete construction and open the Los Altos Community Center, including an Operational Implementation Plan and Grand Opening (dependent on COVID recovery timing).
- Objective No. 2: Award a construction contract to build a new Emergency Operations Center.
- Objective No. 3: Develop a Needs Assessment & Options Analysis Plan for improving the police and fire stations, including but not limited to options for constructing new facilities versus renovation and increased maintenance measures on existing facilities.
- Objective No. 4: Make a policy decision on the future of the Halsey House.
- Objective No. 5: Make a policy decision on the future of 999 Fremont Ave. (Staff recommendation: year 1 identify use for property, year 2 amend Loyola Corners SP to support identified use).
- Objective No. 6: Update the facilities assessment and deferred maintenance report on all City buildings and create a Facilities Equipment Replacement program for funding. (Staff recommendation: Year 1: fund a facilities assessment update, Year 2 align the Facilities Equipment Replacement program with regular and deferred maintenance of facilities)
- Objective No. 7: Update the 2012 Parks Plan to include recreation facilities (including Grant Park improvements) and programs as a comprehensive Parks and Recreation Master Plan (PARC and Recreation and Community Services Department Operational Assessment recommendations- in Year 2 paralleling General Plan Update)

Goal 6: Environmental Sustainability

The City of Los Altos will be a leader on environmental sustainability through education, and adopting and embracing policies, initiatives, and practices that advance this effort.

- Objective No. 1: Update the Climate Action Plan to include a menu of goals and objectives that establish and carry forward the City's climate policy.
- Objective No. 2: Explore public/private partnerships (PPP) with clear roles and expectations to help educate the community on important environmental issues such as reach codes and the Climate Action Plan (Staff recommendation – below water line).
- Objective No. 3: Create a water conservation strategy and implementation plan after the completion of the Climate Action & Adaptation Plan (Staff recommendation: – year 2).
- Objective No. 4: Create an energy conservation strategy and implementation plan after the completion of the Climate Action & Adaptation Plan, specific to park and recreation facilities (PARC Work Plan)

Goal 7: Community Engagement

The City of Los Altos will continue to improve its community engagement process to ensure all community members are heard, informed, and included.

- Objective No. 1: Continue to improve our community engagement tools and platforms. (e.g., website, social media, community meetings, mailers)
- Objective No. 2: Continue to standardize our community engagement processes. (e.g., subject specific process documents)
- Objective No. 3: Continue to provide the community with multiple relevant engagement opportunities (e.g., neighborhood engagement meetings, explore different methods to engage difficult-to-reach populations)
- Objective No. 4: Continue to communicate with the community in a transparent manner.

GOAL 7: TRANSITIONING THROUGH CHANGE

The City Council will proactively address the impact of COVID-19 and other consequential changes on the community during 2020 and 2021 to ensure Los Altos successfully navigates these transitions to be an even stronger community.

- Objective No. 1: Support efforts to keep the Community and City staff safe, including supporting County efforts on vaccine rollout, community communication, mask wearing, and other public health measures.
- Objective No. 2: Evaluate and support/implement adopted policies and guidance documents that support economic recovery across the City. This includes evaluating and implementing, as appropriate, improvements that will increase the number of parking stalls available for public use and the recommendations of the Downtown Buildings Committee that will support the economic recovery of businesses, property owners, and residents.
- Objective No. 3: Seek out grants that will assist the economic recovery of businesses, property owners, and residents.
- Objective No. 4: Review the measures put in place as a result of the work of the Public Safety Taskforce. Debrief what is working, what is not, and if any other best practices

should be initiated in building on the taskforce, while at the same time considering staff capacity to undertake new initiatives in 2021.

- Objective No. 5: Complete recruitment of the City's next City Manager
- Objective No. 6: Review the City Council's code of conduct/norms and ethics and reevaluate Council's relationship with Commissions, including the appropriateness of Council commission liaisons.
- Objective No 7: Diversity, Equity & Access – Continue to create a culture that is welcoming for the community, employees, volunteers and visitors through respect, inclusion, equity, and cultural awareness (PARC Work Plan recommendation).

DRAFT

RESOLUTION NO. 2021-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
SETTING THE CITY COUNCIL 5-YEAR STRATEGIC GOALS FOR 2021

WHEREAS, the Mission of the City of Los Altos is to foster and maintain the City of Los Altos as a great place to live and to raise a family; and

WHEREAS, the City Council of the City of Los Altos is committed to providing essential services to the community; and

WHEREAS, the City Council annually sets goals to help maintain Los Altos as the great place it is.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby adopts the following as its 5-year Strategic Goals for 2021:

1. **Housing:** The City of Los Altos will support the creation of housing that is diverse, equitable, and affordable for all income levels in the Community and support funding and legislation that will help the City to do so and also retain its flexibility in zoning decisions.
2. **Land Use:** The City of Los Altos will implement policies that support a land-use mix and density that reflect the values of the Community, including seeking to protect and increase its green space, while ensuring compliance with any applicable laws and regulations.
3. **Fiscal Sustainability:** The City of Los Altos will continue to be responsible financial stewards of its resources and assets to ensure long-term fiscal sustainability by practicing sound financial management and fiscal transparency, while providing fiscally sustainable government services that address the needs of the community.
4. **Community Safety:** The City of Los Altos will continue to implement plans, strategies, and educational opportunities to ensure public safety, traffic safety, and emergency preparedness services are done in a responsive, equitable, professional, socially responsible, and trustworthy manner.
5. **Asset Management:** The City of Los Altos will set clear expectations and allocate the necessary funding to maintain and improve City facilities and infrastructure that are necessary to provide high-quality services for the well-being of residents.
6. **Environmental Sustainability:** The City of Los Altos will be a leader on environmental sustainability through education, and adopting and embracing policies, initiatives, and practices that advance this effort.
7. **Community Engagement:** The City of Los Altos will continue to improve its community engagement process to ensure all community members are heard, informed, and included.
8. **Transitioning Through Change:** The City Council will proactively address the impact of COVID-19 and other consequential changes on the community during 2020 and 2021 to ensure Los Altos successfully navigates these transitions to be an even stronger community.

I **HEREBY CERTIFY** that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 23rd day of February 2021 by the following vote:

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



Neysa Fligor, MAYOR

Attest:



Andrea Chelemengos, MMC, CITY CLERK

Adopted 5-year Goals for 2021 and Draft FY 2021-23 Objectives Comparison Matrix
 Revised April 3, 2021

2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
<p>Goal: Housing Develop affordable housing policies that will enable the City to achieve its RHNA requirements and provide housing to support our community needs.</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Collaborate and Support the acquisition (change to development; SM) of 330 Distel Circle 2. Prequalification process for BMR's 3. Increase ADU's – Move below the water line. 4. Implement Linkage and Impact Fees 	<p>Goal: Housing The City of Los Altos will support the creation of housing that is diverse, equitable, and affordable for all income levels in the Community and support funding and legislation that will help the City to do so and also retain its flexibility in zoning decisions.</p> <p>Draft Objectives</p> <p>Objective No. 1: Update the Housing Element in partnership with the community through a constructive, collaborative, and efficient process, consistent with the housing needs identified in the final Regional Housing Needs Allocation (RHNA) and have the Housing Element certified by the California Department of Housing and</p>	<p>Continue this goal into 2021.</p> <p>Broaden the goal statement to convey that housing is a policy issue whose purpose is to meet the needs of the community through an approved housing element and the RHNA process through a constructive, collaborative, and efficient process.</p> <p>Consider combining Housing with the Land Use goal (see draft combined goal)</p> <p>Look holistically at land use and housing.</p> <p>Continue objectives 1,2,4 & 5 from 2020. For Distel replace “the acquisition” with “the development”</p> <p>Obj 3, ADU's is now “below the waterline.”</p>

Adopted 5-year Goals for 2021 and Draft FY 2021-23 Objectives Comparison Matrix
 Revised April 3, 2021

2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
<p>5. Develop PPP methods to increase affordable units in CT zone.</p>	<p>Community Development (HCD) within the required statutory deadlines.</p> <p>Objective No. 2: Collaborate with the County of Santa Clara and support the development of 330 Distel Circle for a rental housing project with significant focus on supportive and very low/low-income housing.</p> <p>Objective No. 3: Collaborate with Alta Housing to establish a prequalification process focused on accessibility of housing opportunities for below market rate units.</p> <p>Objective No. 4: Enhance affordable housing in-lieu and affordable housing impact fee programs.</p> <p>Objective No. 5: Develop policies and approaches to increase affordable units through public/private partnerships and other methods for all new projects in the CT zone.</p>	<p>Add an objective for the Housing Element/RHNA process and keep it on track.</p> <p>Add an objective re Legislative Advocacy.</p>

Adopted 5-year Goals for 2021 and Draft FY 2021-23 Objectives Comparison Matrix
 Revised April 3, 2021

2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
	<p>Objective No. 6: Support legislation to increase funding for affordable and workforce housing and associated infrastructure. Ensure cities retain flexibility for zoning and approval of housing based on the land-use needs of each community.</p>	

Adopted 5-year Goals for 2021 and Draft FY 2021-23 Objectives Comparison Matrix
 Revised April 3, 2021

2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
<p>Goal: Land Use</p> <p>The City of Los Altos will continually update land use planning documents (General Plans, Specific Plans, Zoning codes) to comply with State law and reflect the values of our community.</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Develop objective standards. 2. Reevaluate land-use mix. 3. Increase and protect park land. 	<p>Goal: Land Use</p> <p>The City of Los Altos will implement policies that support a land-use mix and density that reflect the values of the Community, including seeking to protect and increase its green space, while ensuring compliance with any applicable laws and regulations</p> <p>Draft Objectives</p> <p>Objective No. 1: Ensure zoning codes and other land use documents provide objective standards as required by State law while maintaining maximum City discretion.</p> <p>Objective No. 2: Reevaluate land use mix and density for each of the City’s commercial districts and take into consideration elements such as economic vitality, neighborhood context, character, RHNA requirements, inclusionary zoning,</p>	<ul style="list-style-type: none"> • Continue this goal into 2021. • Broaden the goal statement so it does not have a focus on documents. • Continue the 3 2020 objectives into 2021 and refine the objectives to be more in context with current planning work. • Add an objective about the 2021 the Housing Element process for this goal, whether or not is combined with Housing (in addition to re-evaluating land use mix). • Incorporate “green space” into 2020 objective #3, “Increase and protect park land”. Convey the City’s interest in proactively protecting and increasing parkland and greenspace as well as seeking opportunities to do so (this objective is a “both and”).

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 Revised April 3, 2021

2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
	<p>and updated zoning codes/objective standards to achieve desired results.</p> <p>Objective No. 3: Proactively endeavor to increase and protect the City’s park land with an emphasis on the acquisition and preservation of green space or open space.</p> <p>Objective No. 4: Update the Housing Element consistent with the housing needs identified in the final Regional Housing Needs Allocation (RHNA) and have the Housing Element certified by the California Department of Housing and Community Development (HCD) within the required statutory deadlines.</p> <p>Objective No. 5: Evaluate existing zoning regulations and develop amendments that support a land use mix and density that reflects the values of the Community (Staff recommendation: implements PC/DRC workplans).</p>	<ul style="list-style-type: none"> • Look holistically at land use and housing as land use and housing go hand in hand. • Acknowledge the importance of Affordable Housing, the Housing Element and/or RHNA process to this goal area.

Adopted 5-year Goals for 2021 and Draft FY 2021-23 Objectives Comparison Matrix
 Revised April 3, 2021

2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
	Objective No. 6: Develop scope of work and funding for a comprehensive update to the City’s General Plan (Staff recommendation – year 2)	

Adopted 5-year Goals for 2021 and Draft FY 2021-23 Objectives Comparison Matrix
 Revised April 3, 2021

2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
<p>Goal: Downtown Vision</p> <p>The City of Los Altos will identify and implement specific projects to advance conceptual elements of the Downtown Vision.</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Increase public parking stalls with “low hanging fruit”. 2. Consider a theatre plan if proposed by a citizen’s group. 3. Downtown Building Committee (DBC) recommendations 	<p>Downtown Vision</p> <p>Drop for 2021</p>	<ul style="list-style-type: none"> • This goal as written is an important policy issue, however at the present time it is not a strategic goal. It can be reconsidered at another time. • The urgent and important focus for 2021 and the near-term future is the health, safety and economic recovery of the businesses, property owners, and residents of the community. Delete goal and incorporate the relevant objectives that could support this effort (e.g., from DBC recommendations; Downtown Vision Plan) as obj under goal “Transition Through Change”. • Staff bandwidth is a concern, including commissions committing staff resources on low priority issues. • Identify rezoning opportunities where the City can become more creative to get more businesses in commercial districts.

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 Revised April 3, 2021

2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
<p>Goal: Asset Management The City of Los Altos will set priorities and allocate financial resources to maintain and/or improve City facilities and infrastructure.</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Review financial capacity. 2. Community Center 3. Council Chambers 4. New EOC 5. Police and Fire Stations - 6. Main Library 7. Roadways – achieve overall PCI of 75 by 2026 	<p>Goal: Asset Management The City of Los Altos will set clear expectations and allocate the necessary funding to maintain and improve City facilities and infrastructure that are necessary to provide high-quality services for the well-being of residents.</p> <p>Draft Objectives</p> <p>Objective No. 1: No. Complete construction and open the Los Altos Community Center, including an Operational Implementation Plan and Grand Opening (dependent on COVID recovery timing).</p> <p>Objective No. 2: Award a construction contract to build a new Emergency Operations Center.</p> <p>Objective No. 3: Develop a Needs Assessment & Options Analysis Plan for improving the police and fire stations,</p>	<ul style="list-style-type: none"> • Continue goal in 2021. • Create a separate goal for Financial Capacity- rename • Drop Council Chambers- project complete and now below the water line. • Table Main Library until JPA is ready to bring forward. • Move PCI to Roadway Safety • Add Halsey House, Grant Park Improvements and 999 Fremont Ave for council to make policy decisions on the disposition of each.

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 Revised April 3, 2021

2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
	<p>including but not limited to options for constructing new facilities versus renovation and increased maintenance measures on existing facilities.</p> <p>Objective No. 4: Make a policy decision on the future of the Halsey House.</p> <p>Objective No. 5: Make a policy decision on the future of 999 Fremont Ave. (Staff recommendation: year 1 identify use for property, year 2 amend Loyola Corners SP to support identified use).</p> <p>Objective No. 6: Update the facilities assessment and deferred maintenance report on all City buildings and create a Facilities Equipment Replacement program for funding. (Staff recommendation: Year 1: fund a facilities assessment update, Year 2 align the Facilities Equipment Replacement program with regular and deferred maintenance of facilities)</p>	

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2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
	<p>Objective No. 7: Update the 2012 Parks Plan to include recreation facilities (including Grant Park improvements) and programs as a comprehensive Parks and Recreation Master Plan (PARC and Recreation and Community Services Department Operational Assessment recommendations- in Year 2 paralleling General Plan Update)</p>	

Adopted 5-year Goals for 2021 and Draft FY 2021-23 Objectives Comparison Matrix
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<p>Goal: FISCAL SUSTAINABILITY N/A</p> <p>Objectives (from Asset Management 2020):</p> <p>1. Financial Capacity: Review the City’s financial capacity for new construction, renovation and maintenance of City facilities and infrastructure, including consideration of various funding options.</p>	<p>Goal: FISCAL SUSTAINABILITY</p> <p>The City of Los Altos will continue to be responsible financial stewards of its resources and assets to ensure long-term fiscal sustainability by practicing sound financial management and fiscal transparency, while providing fiscally sustainable government services that address the needs of the community.</p> <p>Draft Objectives</p> <p>Objective No. 1: Closely monitor the economic recovery and financial impacts associated with the ongoing COVID-19 pandemic and update the City Council and the community on a timely basis.</p> <p>Objective No. 2: Seek federal and state grant funding available through FEMA, CARES and others for the City resources expended in response to COVID-19.</p>	<ul style="list-style-type: none"> • This new goal was previously an objective under Asset Management for 2020. Council separated and established as a new goal for 2021. • Recast the description of the 2020 objective into a goal statement. • Acknowledge that financial staff needs rebuilding. • Balance fiduciary responsibility with staff work • Consider recommendations of Council Ad-Hoc Committee on City Finances • Review and understand the totality of the City’s finances, policies, and practices (e.g., reserves, investment policy, authorization thresholds, contracting practices). • Commit to transparency in all fiscal matters.

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	<p>Objective No. 3: Evaluate the staffing and resource needs of the Finance Division.</p> <p>Objective No. 4: Through the biennial budget development process, continue to control and/or reduce costs to achieve a fiscally sustainable budget, while maintaining adequate fund balance reserves.</p> <p>Objective No. 5: Annually evaluate the City’s existing user fee schedules to ensure reasonable costs of providing services are appropriately assessed. (Staff recommendation: update cost allocation study)</p> <p>Objective No. 6: Continue to develop and implement plans at minimum biannually to ensure effective and sustainable maintenance of City utilities, transportation infrastructure, buildings, and properties (e.g., CIP, facility assessment, equipment replacement, infrastructure master plans).</p>	

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2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
	<p>Objective No. 7: Proactively pursue ways to make financial information publicly available, accessible, and easy to understand to the community (e.g., fully utilize financial enterprise system).</p> <p>Objective No. 8: Proactively identify and monitor long-term financial liabilities, including unfunded pension obligations, and take actions to manage these commitments that prioritize the City’s long-term financial sustainability. (Finance Commission workplan)</p> <p>Objective No. 9: Review the recommendations of the City Council’s Ad-Hoc Subcommittee on Financial Practices for policy and procedural changes that are desired by the City Council.</p> <p>Objective No. 10: Establish a cost recovery policy for the Recreation and Community Services Department (Parks and</p>	

Adopted 5-year Goals for 2021 and Draft FY 2021-23 Objectives Comparison Matrix
 Revised April 3, 2021

2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
	Recreation Commission and Recreation and Community Services Department Operational Assessment recommendations)	

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2020 Adopted Goal & Objectives	2021 Adopted Goal & Draft Objectives (Note: staff/commission recommendations in parenthesis)	Council Key Interests re Goals and Objectives as Expressed during Retreat
<p>Goal: Public Safety The City of Los Altos will continually improve service and safety experiences and perceptions for residents and visitors.</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Proactively create and expand emergency preparedness programs. 2. Align crime prevention programs with the BATs to get 100% coverage. 3. Strengthen code enforcement to support proactively enforcement. <p>Goal: Roadway Safety The City of Los Altos will continually improve traffic/pedestrian/bicycle safety throughout the City with a specific focus on increasing</p>	<p>Goal: Community Safety The City of Los Altos will continue to implement plans, strategies, and educational opportunities to ensure public safety, traffic safety, and emergency preparedness services are done in a responsive, equitable, professional, socially responsible, and trustworthy manner.</p> <p>Draft Objectives</p> <p>Objective No. 1: Strengthen Code enforcement to support proactive engagement and to provide enforcement trending data that council can use to direct proactive revision of city ordinances.</p> <p>Objective No. 2: Create safe multi-modal transportation solutions that align Community needs with city priorities through public engagement, engineering, education, and enforcement.</p>	<p>Continue Public Safety and Roadway Safety in 2021 and combine into one goal.</p> <p>Re: Public Safety</p> <ul style="list-style-type: none"> • Do not roll over 2020 Public Safety objectives 1 & 2 objectives. They are now below the waterline. • Provide an update to Council on the status 2020 Public Safety objective #3. Consider continuing this objective. • In combining Public Safety and Roadway Safety convey through the goal statement or an objective that the City is still committed to providing quality public safety services • Include the interests in social justice and reviewing the status of the work from the taskforce as an objective under “Transitioning Through Change”. <p>Re: Roadway Safety</p> <ul style="list-style-type: none"> • Keep the PCI objective from Asset Management and move it to this Goal area.

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<p>safety on suggested routes to school.</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Develop Complete Streets Master Plan 2. Identify and take action on “hot spot” transportation projects. 3. Leverage road maintenance and rehabilitation projects to include safety amenities (Something we talked about in 2021 SM) 4. Evaluate traffic impact fees. 	<p>Objective No. 3: Achieve an overall PCI (Pavement Condition Index) of 75 by 2026 by maintaining an annual resurfacing budget of \$3.5 million. For economies of scale, integrate multi-modal safety amenities into resurfacing projects when feasible (Staff budget recommendation).</p> <p>Objective No. 4: Assess long-term cumulative impacts from public and private development projects and regional traffic through established environmental review processes (CEQA), including the newly required Vehicle Miles Traveled (VMT) analysis, and the traffic impact fee (TIF) program.</p>	<ul style="list-style-type: none"> • Completing the CS Masterplan is important but not urgent. Allow the CSC to continue their work. Keep the Alta Bike Plan moving forward. • Leave traffic impact fees as an objective. • Traffic pattern may continue to change post-COVID. Former plans maybe being out of date; wait on implementations. • Look for leveraging/timing opportunities for implementing maintenance projects during this time of lighter traffic. • Consider including CSC input to the retreat as objectives for 2021.

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<p>Goal: Environment</p> <p>The City of Los Altos will adopt policies and practices that advance the City’s sustainability and GHG emission reductions and position Los Altos as a leader</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Update the City’s Climate Action Plan 2. Prepared and adopt the reach codes. 3. Ban single use plastics. 4. Increasing recycling and composting of waste in commercial districts 5. Support Santa Clara County Healthy Cities 6. Determine how City Council could use sustainability lens when evaluating projects. 	<p>Goal: Environmental Sustainability</p> <p>The City of Los Altos will be a leader on environmental sustainability through education, and adopting and embracing policies, initiatives, and practices that advance this effort.</p> <p>Draft Objectives</p> <p>Objective No. 1: Update the Climate Action Plan to include a menu of goals and objectives that establish and carry forward the City’s climate policy.</p> <p>Objective No. 2: Explore public/private partnerships (PPP) with clear roles and expectations to help educate the community on important environmental issues such as reach codes and the Climate Action Plan (Staff recommendation – below water line).</p> <p>Objective No. 3: Create a water conservation strategy and implementation plan after the completion of the Climate</p>	<ul style="list-style-type: none"> • This continues to be a priority goal. • Updating the Climate Action Plan should be the main objective as the City’s priorities and actions will be identified in that plan. • Defer “Ban single use plastics” to 2022 (currently 2020 Objective #3) • Add as an objective: Explore public/private relationship to help educating the community for issues such as reach codes and the Climate Action plan with clear rules and expectations. Includes the Mission Trails contract provision for community education, communication on water conservation, etc. • Some of the 2020 objectives are below the water line and should not roll over as objectives in 2021. • Future considerations following the CAP: <ul style="list-style-type: none"> ○ The City should be more aggressive with its environmental policies. ○ Support State and Federal legislation that move the needle on mitigating

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	<p>Action & Adaptation Plan (Staff recommendation: – year 2).</p> <p>Objective No 4: Create an energy conservation strategy and implementation plan after the completion of the Climate Action & Adaptation Plan, specific to park and recreation facilities (PARC Work Plan)</p>	<p>climate change/improving the environment.</p> <ul style="list-style-type: none"> ○ Could the traffic analysis be programmed under environment? ○ Hydration stations ○ Consider the cost impacts of achieving environmental goals on local businesses.

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<p>Goal: Community Engagement</p> <p>The City of Los Altos will continually improve ease of access to information through the City website and create robust community engagement opportunities (both online and in-person)</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Implement improvements to the City’s website. 2. Improve relationships among residents, City staff, and Council members. 	<p>Goal: Community Engagement</p> <p>The City of Los Altos will continue to improve its community engagement process to ensure all community members are heard, informed, and included.</p> <p>Draft Objectives</p> <p>Objective No. 1: Continue to improve our community engagement tools and platforms. (e.g., website, social media, community meetings, mailers)</p> <p>Objective No. 2: Continue to standardize our community engagement processes. (e.g., subject specific process documents)</p> <p>Objective No. 3: Continue to provide the community with multiple relevant engagement opportunities (e.g., neighborhood engagement meetings, explore different methods to engage difficult-to-reach populations)</p>	<ul style="list-style-type: none"> • This is a value, not a strategic goal; a value/way of doing business that should be integrated in all practices. • Strive to ensure that the City uses best practices in community engagement as the way it does business, and that Community Engagement is no longer a strategic goal by 2023. • Improve City communication tools and practices: • Understand what motivates people to show up. • Continue the tailored neighborhood cluster outreach within staff bandwidth/as a matter of practice. • Reevaluate Granicus which is not user friendly for mobile devices and tablets.

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	Objective No. 4: Continue to communicate with the community in a transparent manner.	

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<p>Goal: Transitioning Through Change</p> <p>N/A – New for 2021</p>	<p>Goal: Transitioning Through Change</p> <p>The City Council will proactively address the impact of COVID-19 and other consequential changes on the community during 2020 and 2021 to ensure Los Altos successfully navigates these transitions to be an even stronger community.</p> <p>Draft Objectives</p> <p>Objective No. 1: Support efforts to keep the Community and City staff safe, including supporting County efforts on vaccine rollout, community communication, mask wearing, and other public health measures.</p> <p>Objective No. 2: Evaluate and support/implement adopted policies and guidance documents that support economic recovery across the City. This includes evaluating and implementing, as appropriate, improvements that will increase the number of parking stalls</p>	

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	<p>available for public use and the recommendations of the Downtown Buildings Committee that will support the economic recovery of businesses, property owners, and residents.</p> <p>Objective No. 3: Seek out grants that will assist the economic recovery of businesses, property owners, and residents.</p> <p>Objective No. 4: Review the measures put in place as a result of the work of the Public Safety Taskforce. Debrief what is working, what is not, and if any other best practices should be initiated in building on the taskforce, while at the same time considering staff capacity to undertake new initiatives in 2021.</p> <p>Objective No. 5: Complete recruitment of the City’s next City Manager</p>	

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	<p>Objective No. 6: Review the City Council’s code of conduct/norms and ethics and reevaluate Council’s relationship with Commissions, including the appropriateness of Council commission liaisons.</p> <p>Objective No 7: Diversity, Equity & Access – Continue to create a culture that is welcoming for the community, employees, volunteers and visitors through respect, inclusion, equity, and cultural awareness (PARC Work Plan).</p>	

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		<p>2022 Parking Lot from Council Retreat</p> <ul style="list-style-type: none"> • Reconstitute Parking Taskforce • Downtown Theatre: Support the creation of a Citizens workgroup for downtown theatre. • Traffic Impacts based on Origination- What are the heaviest impacted intersection in the City based on origination/termination data. • Ban Single Use Plastics



1 North San Antonio Road
Los Altos, California 94022-3087

MEMORANDUM

DATE: April 13, 2021

TO: Los Altos City Council

FROM: City Council Legislative Subcommittee: Vice Mayor Enander, Council Member Weinberg

SUBJECT: **Agenda Item #7** - Council Legislative Committee Update and Potential Council Action

The Legislative Committee proposes Council endorse sending position letters to the State Legislature regarding four bills: SB 278, SB 556, AB 339, and AB 415. All four proposed letters match the League's own recommendations. The Committee is still considering its recommendations with respect to AB 415 and SB 765; the Committee will briefly explain those two bills for information only and defer requests for action to the next meeting.

On April 7, the League of California Cities specifically requested letters on SB 9 (for which Council has already acted), SB 278, and SB 556. Please note that Sen. Josh Becker sits on the policy committee hearing SB 556, so the Committee proposes a letter directed to him as well as the one to the policy committee chair.

The proposed letters for AB 339 and AB 415 are high priority for the League per their webinar and online information. Please note that Assemblymember Marc Berman sits on the policy committee hearing AB 415, so the Committee proposes a letter directed to him as well as the one to the policy committee chair.

Vice Mayor Enander and Councilmember Weinberg concur in the wording for all four letters, with a question only about the first sentence in the fourth paragraph of the letter for SB 556 (the letter as presented is entirely the League's recommended draft).

Attachments:

1. Proposed Letter re: Senate Bill 278
2. Draft Letter re: Senate Bill 556
3. Draft Letter re Assembly Bill 339
4. Draft Letter re: Assembly Bill 415

April 13, 2021

The Honorable Thomas J. Umberg
Chair, Senate Judiciary Committee
Legislative Office Building, Room 2187
Sacramento, CA 95814

RE: Senate Bill 278 (Leyva) - Public Employees' Retirement System. Disallowed Compensation. Benefit Adjustments Notice of Opposition (As Introduced 1/29/2021)

Dear Senator Umberg:

The City of Los Altos respectfully opposes SB 278, which would require public agencies to directly pay retirees and/or their beneficiaries, disallowed retirement benefits using general fund dollars. Our objections to this measure are rooted in policy, operational cost, and legal concerns that will inevitably face virtually every state and local government agency should this measure be signed into law.

CalPERS has no Incentive to Properly Calculate Benefit Payments:

SB 278 would place 100 percent of the total liability for disallowed retirement benefits on public agencies—abdicating all responsibility previously held by CalPERS to ensure that retirement benefits are calculated and administered correctly. As such, SB 278 is a de facto and retroactive benefit enhancement measure that would further strain our budget at a time where the impacts of COVID-19 and retirement obligations are making it exceedingly difficult to effectively provide critical services for the public. This would place an undefinable liability on city funds, causing uncertainty in budgeting for services, infrastructure, and otherwise-predictable retirement obligations. The uncertainty might well lead to audit notes that could impede bonding and financing mechanisms.

Requirements under SB 278 will Create Compliance and Implementation Issues:

SB 278 would require us to issue direct General Fund payments to retirees, which would trigger GASB 68 reporting requirements. Given the unique circumstances surrounding these overpayments, we would have to track and report these liabilities. Such additional responsibilities will require us to hire costly outside actuarial and legal experts to ensure that they follow federal reporting laws.

This measure also fails to consider the common practice of employees moving from jurisdiction to jurisdiction throughout their careers. Under normal circumstances, CalPERS pays out the benefit if an employee works for multiple agencies who enjoy reciprocity. However, under SB 278 it is unclear. Such confusion will lead to compliance, legal and implementation challenges.

The lack of accountability by the administrator of public retirement benefits would lead to more confusion and compliance challenges for public agencies.

Gift of Public Funds is a Violation of the California Constitution:

Under SB 278, the City of Los Altos would issue unlawful payments to former employees and/or their beneficiaries. Continued payment of a disallowed benefit to a retiree would constitute a gift of public funds, in violation of Section 6, Article 16 of the California Constitution. Such violations would leave a public agency left to defend itself from costly lawsuits filed by members of the public.

SB 278 would create an unfunded mandate by transferring legal and financial obligations from CalPers to cities and requiring us to attempt to administer retirement benefits to employees who will likely relocate during their retirement – a task far beyond the scope that can be expected of small-city staffs.

For these reasons, the City of Los Altos opposes SB 278 (Leyva).

Sincerely,

Neysa Fligor
Mayor
City of Los Altos

cc: The Honorable Connie Leyva
The Honorable Josh Becker
The Honorable Marc Berman
Seth Miller (via email)
League of California Cities, cityletters@cacities.org

April 13, 2021

The Honorable Ben Hueso
Chair, Senate Energy, Utilities, and Communications Committee
State Capitol Building, Room 4035
Sacramento, CA 95814

RE: SB 556 (Dodd) Street Light Poles, Traffic Signal Poles, Utility Poles, and Support Structures: Attachments.

Notice of OPPOSITION (*As Amended 03/16/21*)

Dear Senator Hueso,

The City of Los Altos respectfully opposes SB 556 (Dodd), related to wireless broadband infrastructure deployment.

SB 556 directly conflicts with the Federal Communications Commission's (FCC) adopted regulations on wireless services deployment, which cities and counties across the nation are actively implementing. This measure requires local governments to make space available to telecommunications providers without recognizing local authority to manage the public right-of-way preserved in federal law. FCC regulations explicitly enable local governments to ensure that such installations meet appearance and design standards, maintain traffic safety, protect historical resources' integrity, and safeguard citizens' quality of life. To protect the public's investment, the control of the public rights-of-way must remain local.

Additionally, SB 556 creates ambiguity in the fees local governments can charge for access to their infrastructure. Federal law explicitly outlines conditions for valid fees, limiting fees to a "reasonable approximation of the local government's actual and direct costs," including costs to maintain a structure within the right-of-way, process an application or permit, and review a siting application. SB 556, on the other hand, chooses not to incorporate these federal standards, further restricting fees to "actual cost" and "reasonable actual cost." If the goal of SB 556 is to implement the existing FCC orders into state law, there should be no added ambiguity created by changes from what was already decided at the federal level.

[SB 556 is an attempt by the telecommunications industry to undermine local authority while making no meaningful progress towards closing the digital divide in California's unserved and underserved communities.] As previously mentioned, cities and counties across the nation are implementing the FCC's orders. If California is to close the digital divide, legislative efforts should focus on encouraging and incentivizing telecommunications companies to service areas that for too long have not had access to reliable and affordable internet.

While the City of Los Altos stands ready to work with the Legislature to further the state's broadband goals, these efforts do not inherently conflict with the appropriate local authority to manage the right-of-way and comply with existing FCC decisions. For these reasons, the City of Los Altos opposes SB 556 (Dodd).

Sincerely,

Neysa Fligor
Mayor
City of Los Altos

cc: The Honorable Bill Dodd
The Honorable Josh Becker
The Honorable Marc Berman
Seth Miller (via email)
League of California Cities, cityletters@cacities.org

DRAFT

April 13, 2021

The Honorable Josh Becker
Chair, Senate Energy, Utilities, and Communications Committee
State Capitol Building, Room 4035
Sacramento, CA 95814

RE: SB 556 (Dodd) Street Light Poles, Traffic Signal Poles, Utility Poles, and Support Structures: Attachments.

Notice of OPPOSITION (*As Amended 03/16/21*)

Dear Senator Becker

We write to you as our representative and as a member of the Energy, Utilities, and Communications Committee to express our opposition to SB 556 (Dodd), related to wireless broadband infrastructure deployment.

The City of Los Altos respectfully opposes SB 556 (Dodd), related to wireless broadband infrastructure deployment.

SB 556 directly conflicts with the Federal Communications Commission's (FCC) adopted regulations on wireless services deployment, which cities and counties across the nation are actively implementing. This measure requires local governments to make space available to telecommunications providers without recognizing local authority to manage the public right-of-way preserved in federal law. FCC regulations explicitly enable local governments to ensure that such installations meet appearance and design standards, maintain traffic safety, protect historical resources' integrity, and safeguard citizens' quality of life. To protect the public's investment, the control of the public rights-of-way must remain local.

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While the City of Los Altos stands ready to work with the Legislature to further the state's broadband goals, these efforts do not inherently conflict with the appropriate local authority to manage the right-of-way and comply with existing FCC decisions. For these reasons, the City of Los Altos opposes SB 556 (Dodd).

Sincerely,

Neysa Fligor
Mayor
City of Los Altos

cc: The Honorable Bill Dodd
The Honorable Marc Berman
Seth Miller (via email)
League of California Cities, cityletters@cacities.org

April 13, 2021

The Honorable Alex Lee
California State Assembly
State Capitol Building, Room 2170
Sacramento, CA 95814

**RE: AB 339 State and Local Government: Open Meetings
Notice of Opposition** (As Introduced)

Dear Assemblymember Lee:

The City of Los Altos respectfully opposes AB 339, which will add significant unfunded mandates by requiring us to provide both call-in and internet based options, in addition to in-person options, for members of the public to attend and comment during any public meeting. The measure further requires broad translation services in real-time during public meetings and for extensive and often technical meeting materials, both of which would add significant costs. Such unfunded mandates coupled with the practical challenges of implementation makes us deeply concerned about our ability to effectively conduct business for our residents.

The City of Los Altos takes very seriously our obligations under the Brown Act to operate transparently and to provide opportunities for members of the public to participate. Our City, like other jurisdictions throughout California, has adapted our meeting protocols to increase civic engagement. This includes on-line publication and promotion of agendas and staff reports in advance of meetings, electronic submission and distribution of public comments, customized email notifications to the public for each commission and for special topics, and more. We hold public meetings, including those of our commissions, in various venues throughout our City to increase public participation. For the past year, in conformance with State restrictions related to Covid, we have operated exclusively via on-line meetings. However, the measures proposed in AB 339 create the following issues.

- * The combined in-person, call-in and internet-based options for attendance will be extremely challenging. The interlinkage of these technologies present technical, staffing, logistic, and resource limitations, in addition to the difficulties of managing these multiple inputs while trying to maintain some continuity to the meeting. As a practical effect, the requirement would preclude holding meetings other than in Council chambers, seriously reducing both Council and commission presence throughout the community.
- * Being wholly dependent on external service providers to conduct meetings compliant with the Brown Act places us in a vulnerable position, putting at risk our ability to meet our fiscal, legal, and practical obligations to constituents. These vulnerabilities would extend to the operation of our planning and financial commissions that have statutory responsibilities, as well as for other advisory commissions.
- * Requiring live translation services constitutes another unfunded mandate and operational burden. It appears that AB 339 places these requirements in the Brown Act rather than the Dymally-Alatorre Bilingual Services Act (which currently governs local

government translation services requirements) to avoid constitutional reimbursement requirements that do not apply to the Brown Act. Under SB 399, we would be required to employ a translator for any language spoken by five percent or more of our residents regardless of financial impact or the public's desire or need for such services. Additional requirements to translate written material poses another significant logistical challenge and unfunded expense, especially where agenda material can be hundreds of pages and technically complex.

* We understand that draft amendments would exempt the state government and its agencies from these onerous requirements. If the merits of this bill are so great that they require the most expansive mandates since the Brown Act's application to public meetings, it is inconceivable that the State would not similarly have to comply, given that the impact of its decisions are far more wide-reaching than the impact of the decisions made in our city.

While we share your commitment to access and transparency, AB 339 will have the consequences of unduly burdening our city financially and practically at a time when we are struggling to provide basic services. Further, it would create situations where we would be stymied in our ability to efficiently execute the people's business.

For these reasons, we must respectfully oppose AB 339.

Sincerely,

Neysa Fligor
Mayor
City of Los Altos

Cc: The Honorable Josh Becker
The Honorable Marc Berman
Seth Miller (via email)
League of California cities cityletters@cacities.org

April 13, 2021

The Honorable Tom Daly
Chair, Assembly Committee on Insurance
State Capitol, Room 3120
Sacramento, California 95814

**RE: AB 415 (Rivas) Workers' Compensation Cancer Presumption Expansion
Notice of OPPOSITION (As Premature)**

Dear Assemblymember Daly:

The City of Los Altos respectfully opposes, as premature, AB 415, which would expand existing cancer presumptions for front line firefighters to also cover employees for local public agencies that, while not directly engaged in firefighting activities, are exposed to health hazards from firefighting operations. We are opposed to this bill because as of yet there appears to be no objective basis to support the proposed expansion, and the bill is crafted with vague language that, we believe, would place local agencies at a serious disadvantage with respect to workers' compensation claims covered by the bill.

No Objective Basis for Expansion

As you know, nearly identical language in AB 1400 (Kamlager-Dove, 2019), was rejected because there was a complete lack of objective information supporting the need for the change in policy or that a problem even exists. That legislation was amended into a requirement for the Commission on Health and Safety and Workers' Compensation (CHSWC) to study the "risk of exposure to carcinogenic materials and incidence of occupational cancer in mechanics who repair and clean firefighting vehicles."

This research, although due to the legislature on January 1, 2021, has not yet been completed or delivered and is not available to stakeholders for evaluation. For that reason, the City of Los Altos believes that AB 415 is premature and remains unsupported by objective evidence.

Scope of AB 415 Beyond Pending Research

If enacted into law, AB 415 would create the presumption that an agency's employee is entitled to workers' compensation coverage for certain injuries. This is inconsistent with the structure of California's workers' compensation law and would place an enormous burden on local agencies like the City of Los Altos.

The language in AB 415 would apply the presumption to "employees of a city, county, district, or other municipal corporation or political subdivision" if their job duties cause them to be "regularly exposed to active fires or health hazards directly resulting from firefighting operations, such as exposure to toxic chemicals deposited on firefighting equipment."

The scope of this bill includes any municipal employee - not just those who work for fire departments and are in close proximity to actual firefighting operations. This could apply to any

employee who works outdoors when smoke from wildfires descends over large parts of the state because of how the bill is drafted. There is no definition or explanation of what it means to be “regularly exposed,” nor any correlation to an exposure being greater than the general public during a wildfire.

By placing the burden of proof on an agency, AB 415 puts local agencies at an enormous disadvantage. Section 3202 of the California Labor Code requires California’s workers’ compensation laws to be “liberally construed by the courts with the purpose of extending their benefits for the protection of person injured in the course of their employment.” Therefore, the practical effect of AB 415 would be to unfairly prejudice local agencies. We do not understand why cities like Los Altos should be treated differently from other employers with respect to evaluating a worker’s compensation claim.

Focus on Safety

When the League of California Cities and others opposed AB 1400, they offered - in writing - to sit down with stakeholders and focus on workplace safety and preventative measures in an effort to better protect workers. Our understanding is that the League continues to be willing to partner with the author and stakeholders on conversations about workplace safety. The City of Los Altos strongly requests that the author and other stakeholders avail themselves of that opportunity once the research mandated by AB 1400 is available.

Simply put, AB 415 is premature. We do not know whether there is a problem in need of correction. Assuming that there is a problem, *arguendo*, we cannot evaluate the true effect of AB 415 without that research. This lack of information makes it impossible to predict or understand how AB 415 will affect local agencies and their employees.

Presumptions Should be Limited

California’s workers’ compensation system was established to treat workplace injuries. When the legislature establishes a presumption, as is proposed by AB 415, it essentially deprives employers of the ability to effectively refute that a claim is connected to work. The law says that presumptions are rebuttable, but as a practical matter they rarely are. To overcome the presumption established by AB 415 an employer would have to prove with medical evidence that the employee’s cancer was not caused by her/his work. If the law was unchanged an injured worker would face a far more manageable standard for establishing their illness as work related.

The net result of this legislation will be that public agencies with limited budgets and a high demand for vital public services will be forced to divert funding to provide extraordinarily expensive workers’ compensation benefits (medical, lost wages, permanent disability, death benefits) and disability retirement benefits to people who did not develop cancer as a result of their employment and have generous benefits available in their employer- funded health insurance. At this time, there is a lack of objective evidence to support the changes proposed in this bill.

For the foregoing reasons, the City of Los Altos opposes AB 415 as premature.

Sincerely,

Neysa Fligor
Mayor
City of Los Altos

cc: The Honorable Robert Rivas
The Honorable Josh Becker
The Honorable Marc Berman
Seth Miller (via email)
League of California Cities, cityletters@cacities.org

DRAFT

April 13, 2021

The Honorable Marc Berman
California State Assembly
State Capitol, Room 3123
Sacramento, California 95814

**RE: AB 415 (Rivas) Workers' Compensation Cancer Presumption Expansion
Notice of OPPOSITION (As Premature)**

Dear Assemblymember Berman:

We write to you as our representative and as a member of the Insurance Committee to express our opposition to AB 415 (Rivas), which would expand existing cancer presumptions for front line firefighters to also cover employees for local public agencies that, while not directly engage in firefighting activities, are exposed to health hazards from firefighting operations. The City of Los Altos opposes this bill because as of yet there appears to be no objective basis to support the proposed expansion, and the bill is crafted with vague language that, we believe, would place local agencies at a serious disadvantage with respect to workers' compensation claims covered by the bill.

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This research, although due to the legislature on January 1, 2021, has not yet been completed or delivered and is not available to stakeholders for evaluation. For that reason, the City of Los Altos believes that AB 415 is premature and remains unsupported by objective evidence.

Scope of AB 415 Beyond Pending Research

If enacted into law, AB 415 would create the presumption that an agency's employee is entitled to workers' compensation coverage for certain injuries. This is inconsistent with the structure of California's workers' compensation law and would place an enormous burden on local agencies like the City of Los Altos.

The language in AB 415 would apply the presumption to "employees of a city, county, district, or other municipal corporation or political subdivision" if their job duties cause them to be "regularly exposed to active fires or health hazards directly resulting from firefighting operations, such as exposure to toxic chemicals deposited on firefighting equipment."

The scope of this bill includes any municipal employee - not just those who work for fire departments and are in close proximity to actual firefighting operations. This could apply to any employee who works outdoors when smoke from wildfires descends over large parts of the state because of how the bill is drafted. There is no definition or explanation of what it means to be

“regularly exposed,” nor any correlation to an exposure being greater than the general public during a wildfire.

By placing the burden of proof on an agency, AB 415 puts local agencies at an enormous disadvantage. Section 3202 of the California Labor Code requires California’s workers’ compensation laws to be “liberally construed by the courts with the purpose of extending their benefits for the protection of person injured in the course of their employment.” Therefore, the practical effect of AB 415 would be to unfairly prejudice local agencies. We do not understand why cities like Los Altos should be treated differently from other employers with respect to evaluating a worker’s compensation claim.

Focus on Safety

When the League of California Cities and others opposed AB 1400, they offered - in writing - to sit down with stakeholders and focus on workplace safety and preventative measures in an effort to better protect workers. Our understanding is that the League continues to be willing to partner with the author and stakeholders on conversations about workplace safety. The City of Los Altos strongly requests that the author and other stakeholders avail themselves of that opportunity once the research mandated by AB 1400 is available.

Simply put, AB 415 is premature. We do not know whether there is a problem in need of correction. Assuming that there is a problem, *arguendo*, we cannot evaluate the true effect of AB 415 without that research. This lack of information makes it impossible to predict or understand how AB 415 will affect local agencies and their employees.

Presumptions Should be Limited

California’s workers’ compensation system was established to treat workplace injuries. When the legislature establishes a presumption, as is proposed by AB 415, it essentially deprives employers of the ability to effectively refute that a claim is connected to work. The law says that presumptions are rebuttable, but as a practical matter they rarely are. To overcome the presumption established by AB 415 an employer would have to prove with medical evidence that the employee’s cancer was not caused by her/his work. If the law was unchanged an injured worker would face a far more manageable standard for establishing their illness as work related.

The net result of this legislation will be that public agencies with limited budgets and a high demand for vital public services will be forced to divert funding to provide extraordinarily expensive workers’ compensation benefits (medical, lost wages, permanent disability, death benefits) and disability retirement benefits to people who did not develop cancer as a result of their employment and have generous benefits available in their employer- funded health insurance. At this time, there is a lack of objective evidence to support the changes proposed in this bill.

For the foregoing reasons, the City of Los Altos opposes AB 415 as premature.

Sincerely,

Neysa Fligor
Mayor
City of Los Altos

cc: The Honorable Robert Rivas
The Honorable Josh Becker
The Honorable Tom Daly
Seth Miller (via email)
League of California Cities, cityletters@cacities.org

DRAFT



City of Los Altos Tentative Council Agenda Calendar

As of April 9, 2021

All items and dates are tentative and subject to change unless a specific date has been noticed for a legally required Public Hearing. Items may be added or removed from the shown date at any time and for any reason prior to the publication of the agenda eight days prior to the next Council meeting.

Meeting Date	Agenda Item (Date identified by Council)	Agenda Section (Consent, Discussion Item - note in red if Public Hearing)
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April 27, 2021	CLOSED SESSION – 5 p.m.	
	STUDY SESSION – 6 p.m. Community Center Assessment	
	REGULAR COUNCIL MEETING	
	Earth Day proclamation on 4/27 and recognize the sustainability team and work.	
	Community Center Construction Monthly Update- March 2021	Info Item
	<u>Contract Amendment:</u> Approval of the ARG contract amendment (D. Brees)	
	Resolution Of The City Council Of The City Of Los Altos Acknowledging Receipt Of A Report Made By The Fire Chief Of The Santa Clara County Central Fire Protection District Regarding The Inspection Of Certain Occupancies Required To Perform Annual Inspections In Such Occupancies Pursuant To Sections 13146.2 And 13146.3 Of The California Health And Safety Code	CC
	Amendment No.5 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.	CC
Amendment No.3 to the Agreement between the City of Los Altos, California, and NOVA Partners for the additional Construction Management Services for Hillview Community Center Redevelopment Project CF-01002.	CC	

	330 Distel Circle affordable housing project update and introduction of the affordable housing developer	
	Safe Storage of Firearms in Los Altos.	Discussion Item
	Design Options Update for the Los Altos Emergency Operations Center (EOC): Receive building layout and budget options for the proposed Emergency Operation Center (EOC) per Council's October 13, 2020 direction and provide direction to staff on which design option to select for the new Emergency Operations Center. 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. (P. Maslo, J. Sandoval)	
May 4, 2021	JOINT MEETINGS WITH COMMISSIONS - Senior Commission, Youth Commission, Environmental Commission, Parks and Recreation Commission, Complete Streets Commission	
May 11, 2021	Study Session – Budget-CIP	
	REGULAR COUNCIL MEETING	
	Presentation of Proclamation to Michael Handel Proclamation, Retired Los Altos Firefighter	
	Presentation - Board President from the Midpeninsula Regional Open Space District, Curt Riffle	
	Quarterly Ended Report	
	Objective Standards Action	PUBLIC HEARING
	City of Los Altos – Title 14, Zoning Amendment – Public Land Protection Ordinance First Reading Proposed ordinance adding a Public Land Protection (PLP) overlay district to Title 14, Zoning, of the Los Altos Municipal Code that will provide for the protection of City owned property by requiring voter approval of the sale or transfer of title of any City-owned land to which the PLP overlay designation is applied and voter approval to remove the PLP designation once it has been applied. The proposed Ordinance relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is exempt from California Environmental Quality Act (“CEQA”) CEQA Guidelines Section 15061(b)(3), which states the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment” as the Ordinance has no potential to result in a direct, or reasonably foreseeable, indirect impact on the environment. <i>Project Manager: Community Development Director Biggs</i>	
	Commercial Park Ordinance	
Updated Debt Policy		

	Council Financial Subcommittee Recommendations: Discuss recommendations of the Council Financial Subcommittee regarding reporting of City financial information (Vice Mayor Enander)	
May 25, 2021	REGULAR COUNCIL MEETING	
	Presentation on Ending Homelessness	
	Contract Amendment Approval -Contract Plan Checking Services	
	Community Center Construction Monthly Update	Info Item
	Construction Contract Award: Fremont Avenue Pavement Rehabilitation Project, TS-01056	CC
	Construction Contract Award: Annual Street Resurfacing and Slurry Projects, TS-01001 and TS-01004	CC
	Project Acceptance for Cuesta Drive Traffic Calming Project TS01022	
	Resolution No. 2021-XX: Adopt Resolution No. 2021-XX Accepting Completion of the El Monte Sidewalk Gap Closure Project, TS-01038, and authorize the Engineering Services Director to record a Notice of Completion as required by law	CC
	Housing Element Update Consultant Recommendation: Authorize the City Manager to execute an agreement with Lisa Wise Consulting (LWC) in an amount not to exceed \$700,000 for the Housing Element Update and amend the budget for the Community Development Department as needed. (G. Persicone)	
June 8, 2021	REGULAR COUNCIL MEETING	
	Adopt Resolution No. 2021-XX approving the Report of Sewer Service Charges and directing the Filing of Charges for Collection by the Tax Collector	Public Hearing 5/12/2021 & 5/19/2021- not less than 10 days - published once a week for two consecutive weeks
June 22, 2021	REGULAR COUNCIL MEETING	
	Proposed City policy that modifies the environmental analysis standard for circulation impacts from a Level of Service (LOS) analysis to a Vehicle Miles Traveled (VMT) analysis.	Public Hearing*
July 13, 2021	REGULAR COUNCIL MEETING	
August 24, 2021	REGULAR COUNCIL MEETING	
September 14, 2021	REGULAR COUNCIL MEETING	
	Construction Contract Award: Fremont Avenue Pedestrian Bridge Rehabilitation Project, TS-01055 (9/7/21 – tentative)	CC
	REGULAR COUNCIL MEETING – in place of 9/28 mtg which falls on holiday	

September 21, 2021	Year End tentative report – September (if needed)	
October 12, 2021	REGULAR COUNCIL MEETING	
October 26, 2021	REGULAR COUNCIL MEETING	
November 2, 2021	JOINT WITH COMMISSION	
November 9, 2021	REGULAR COUNCIL MEETING	
	1st Quarter report FY 2021/2022	
November 30, 2021	REGULAR COUNCIL MEETING – in place of 11/23 mtg the week of Thanksgiving	
DECEMBER 7, 2021	COUNCIL REORGANIZATION	
December 14, 2021	REGULAR COUNCIL MEETING	
	CAFR and Year End – 1st meeting December	

Future Agenda Topics

To be scheduled	Agenda Item (Date identified by Council)	Agenda Section (Consent, Discussion/Action - note in red if Public Hearing)	Department
	BMR waitlist process proposal by Alta Housing		
	Public land preservation ordinance (if recommended by the PC at its February 4 meeting)	PUBLIC HEARING	
	5150 El Camino Road - Modification	Public Hearing?	
	League of California Cities – Role and Representation	Presentation/Discussion	Council Initiated
	See Me Flags		Engineering
	Pavement Management Program Update – 2019 Pavement Condition Index - The staff recommends Scenario 5 – Increase Current PCI to 75 by 2026	Discussion Item	James Sandoval, Engineering
	440 First Street Design Review		Community Development
	4350 El Camino Real Design Review		Community Development
	Climate Action Plan update		Community Development
	Healthy Cities Initiative		Recreation & Community S
	Housing Impact vs. Housing in-Lieu Discussion		Community Development
	BAT/Neighborhood Watch program expansion		PD/CMO
	Complete Streets Master Plan		Engineering Services
	Community Engagement program		CMO
	Comprehensive multi-modal traffic study (analysis of recent projects projected parking, trip generation, & traffic impacts to actuals; ECR impacts should include adjacent streets)		Engr. Svcs/Planning
	Off-street EV charging stations in front of homes – include in Reach Codes; refer to Environmental Commission?		Planning
	Schedule City/LASD meeting		
	Reschedule City/CUSD meeting (April/May)		
	Schedule Joint Los Altos/Los Altos Hills Council meeting (6-9 months: August – October)		
	Housing Element Update		Community Development
	San Francisco PUC permit		Engineering Services