



**MINUTES OF THE REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF LOS ALTOS
7:00 P.M., TUESDAY, APRIL 27, 2021**

Held Via Video/Teleconference Per California Executive Order N-29-20.

MEETING CALLED TO ORDER

At 7:11 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

REPORT ON CLOSED SESSION

Mayor Fligor reported that there was no action taken and nothing to report from the Closed Session held earlier in the evening.

SPECIAL ITEMS

- Proclamation of April 22, 2021 as Earth Day

Mayor Fligor read the proclamation into the record and presented the proclamation. Sustainability Coordinator Ancheta commented and provided background information on Earth Day.

- Proclamation Recognizing the Los Altos High School Green Team

Mayor Fligor read the proclamation into the record and presented the proclamation.

Audrey Chang thanked the Council and commented on the Green Team.

CHANGES TO THE ORDER OF THE AGENDA

Mayor Fligor moved to reorder the agenda to moved *Council Reports* to be heard prior to *Public Comments on Items Not on the Agenda* to allow for Council comments only and then resume any other matters under that section at the end of the meeting. The motion was seconded by Council Member Lee Eng 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

Council Member Lee Eng commented on remarks she made at the November 24, 2020 in response to a message sent to her during the meeting and the resulting dialog and public comments. She provided an explanation for her reaction and comments.

Mayor Fligor spoke on the unresolved issues that arose from comments made by Council Member Lee Eng at the November 24, 2020 Council meeting. She apologized to Kenan Moos and his family for any comments she (Fligor) made in response to the situation that occurred at the meeting that may have caused grief. She expressed disappointment that the matter remains unresolved, and mitigation terminated. She urged the two parties involved to work toward a resolution.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals commented: Deneva, Tara Dhillon, Christine Lenz, Teresa, Frank Martin (with time ceded from Janet Corrigan) Renee Rashid, Freddie, Cindy Sidaris, Salim, Jill Woodford, Karen Solpon, Ella Maluf, Ken Girdley, Joe Beninato (with time ceded from Aisha Rashid), Elaine Wang, Tanya Maluf (with time ceded from Amber Joy and Jeanine Valadez), Roberta, Terri Couture, Maureen Griffin, Kevin Moos (with time ceded from Toni Moos), Kenan Moos, Jon Baer, Katty and(a statement read from) Jim Jolly.

Council Member Meadows, Weinberg, and Vice Mayor Enander commented on the situation arising from comments made at the November 24, 2020 meeting and the need for a resolution of the situation.

CONSENT CALENDAR

1. Council Minutes: Approve the (amended) Minutes of the April 13, 2021 Regular Meeting
2. Resolution Acknowledging Receipt of Annual Fire Inspection Report: Adopt 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

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

Council Member Meadows moved to approve the Consent Calendar. The motion was seconded by Council Member Weinberg 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 - None

DISCUSSION ITEMS

3. 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 an update and answered questions from the Council.

There were no public comments and no action.

4. 330 Distel Circle Update: Receive Affordable Housing Update and Introduction of the Affordable Housing Developer

Community Development Director Biggs introduced Scott Johnson and Welton Jordan of EAH Housing, 330 Distel Circle developers, who provided a presentation on the community outreach and overall development of 330 Distel Circle and answered questions from the Council.

At 9:04 p.m. Mayor Fligor called for a brief recess. At 9:13 p.m., Mayor Fligor reconvened the meeting.

The following individuals commented: Jon Baer, Pierre Bedard, Pete Dailey, Salim, Renee Rashid, Anne Paulson, Jeanine Valadez, and Freddie.

No action was taken.

5. Contract Amendment: Authorize the Interim City Manager to execute a contract amendment (Amendment #3) on behalf of the City with NOVA Partners for additional construction management services on the Los Altos Community Center Project, CF-01002 through June 30, 2021, in the amount of \$120,884.
6. Contract Amendment: Authorize the Interim City Manager to execute a contract amendment (Amendment #5) on behalf of the City with Noll & Tam Architects for added scope of services on the Los Altos Community Center Project CF-01002 in the amount of \$117,581.

Due to the relation of Items #5 and #6, Project Manager Maslo presented a combined presentation. Project Manager Maslo along with James Gwise of Noll & Tam, and Saul of NOVA Partners answered questions from the Council.

The following members of the public commented: Jon Baer, Roberta Phillips, and Joe Beninato.

Council Member Weinberg moved to authorize the Interim City Manager to execute a contract amendment (Amendment #3) on behalf of the City with NOVA Partners for additional construction management services on the Los Altos Community Center Project, CF- 01002 through June 30, 2021, in the amount of \$120,884. The motion was seconded by Council Member Meadows and the motion passed 4-0-1 with the following roll call vote:

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

Council Member Weinberg moved to authorize the Interim City Manager to execute a contract amendment (Amendment #5) on behalf of the City with Noll & Tam Architects for added scope of services on the Los Altos Community Center Project CF-01002 in the amount of \$117,581. The motion was seconded by Council Member Meadows and the motion passed 43-2 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

7. 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.

Engineering Services Director Sandoval provided a presentation to the Council and, he, along with Police Chief Galea, Information Technology Manager Tseng, and Project Architect Jeff Katz, answered questions from the Council.

The following members of the public commented: Jim Clark (with time ceded from Harry Guy and Art Whipple) and Roberta Phillips.

The Council discussed the matter and provided feedback to the staff on the desired design and features.

Vice Mayor Enander moved that the Council adopt Option D conditional on the receipt of the Federal grant for which has been applied. 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

Vice Mayor Enander moved that the Council direct staff to proceed with design and planning for Option C in the event that the Federal grant does not move through the process. The motion was seconded by Mayor Fligor and the motion passed 4-0-1 with the following roll call vote:

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

8. Safe Firearm Storage: Consider request for City Council initiation of a Safe Firearms Storage Ordinance. (Initiated by Council Member Weinberg)

Council Member Weinberg provided information on the matter.

City Attorney Houston and Police Chief Galea answered questions from the Council.

The following members of the public commented: Susie Maclean, Kelly Traver, Art Whipple, Renee Rashid, Pete Dailey, Richard Simmons, and Roberta Phillips.

Following Council comments, Council Member Weinberg moved that the Council direct staff to prepare a safe storage ordinance for the Council's consideration. The ordinance shall be substantially in accord with Santa Clara County Ordinance No NS-644 and include the following provisions:

- No person shall keep a loaded or unloaded firearm in any residence unless the firearm is (1) carried on their person; (2) in close proximity and control of a person who is authorized to carry the firearm in accordance with all applicable laws, or (3) is stored in a locked container or disabled by a trigger lock approved by the DOJ.
- Each day that a firearm is improperly stored shall constitute a separate violation.
- The first violation shall be an infraction punishable by a fine of \$500 and each violation thereafter shall be a fine of \$1,000.
- Nothing in our ordinance shall affect a person's obligation to report a lost or stolen firearm.

The motion was seconded by Council Member Meadows and the motion passed 4-1 with the following roll call vote:

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

9. Council Legislative Subcommittee Update And Potential Council Action: Receive update from the City Council Legislative Subcommittee; discuss pending legislation including, but not limited to: AB 14, AB17, AB 34, AB 68, AB 115, AB 215, AB 339*, AB 415*, AB 617, AB 678, AB 1091, AB 1258, AB 1322, AB 1401, SB 4, SB 5, SB 6, SB 7, SB 8, SB 9, SB 10, SB 15, SB 16, SB 55, SB 210, SB 278*, SB 477, SB 478, SB 556*,

SB 640, SB 695, SB 765, SB 785, SB 988 * indicates previous Council action taken- (Vice Mayor Enander, Council Member Weinberg)

Vice Mayor Enander provided an overview of certain pending legislation. Council commented. No action was taken.

10. Tentative Council Calendar: Review and consider changes to the Council Tentative Calendar

Council Members reviewed the tentative schedule, provided input, and inquired about scheduling of certain Council matters.

INFORMATIONAL ITEMS ONLY

- Community Center Construction Monthly Update- March 2021

No comments/No action taken.

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Mayor Fligor, with support from Council Member Meadows, requested that a Council endorsement the Carbon Fee and Dividend legislation be placed on a future agenda. In addition, Mayor Fligor, with support of Council Member Lee Eng, requested that a matter of formally adding the Fremont Union High School District to the City/ Cupertino Union High School District School Issues Subcommittee be added to a future agenda.

ADJOURNMENT

At 1:27 a.m., Wednesday, April 28, 2021, Mayor Fligor adjourned the meeting.

ATTEST:

Neysa Fligor, MAYOR

Andrea M. Chelemengos MMC, CITY CLERK