



AMENDED 9.13.2021

**MINUTES OF THE REGULAR MEETING OF  
THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
7:00 P.M., TUESDAY, AUGUST 24, 2021**

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

**MEETING CALLED TO ORDER**

At 7:05 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**

Día Hermath, Girl Scout Troop 60321, led the Council in the Pledge.

**REPORT ON CLOSED SESSION**

Mayor Fligor reported that the Council held a closed session earlier in the evening and discussed agenda items 1-5 only. She reported that there was no action taken and nothing to report. City Attorney Houston noted for the record that she did not participate in the closed session during agenda items 1 and 2.

**SPECIAL ITEMS**

- Presentation of Santa Clara Valley Water District Drought Response Plan by Gary Kremen, Board Vice Chairperson, Santa Clara Valley Water District

Gary Kremen, Board Vice Chairperson, Santa Clara Valley Water District, provided a presentation and answered questions from the Council.

**CHANGES TO THE ORDER OF THE AGENDA**

There were no changes.

Mayor Fligor spoke on the Council's process, outlined in the Council Norm's and Procedures, of determining which agenda items will be heard and those that will be deferred or continued when the Council meeting reaches a certain hour.

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

Rhoda Fry, Jeanine Valdez, Rob Seeley (later in the evening because of technical difficulties) a speaker identified as 14081689767 commented.

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## CONSENT CALENDAR

1. Council Minutes: Approve the Minutes of the July 13, 2021, Regular Meeting
2. Contract Amendment: Approve Amendment No. 2 to the Agreement between the City of Los Altos and R3 Consulting Group, Inc. for Contract Extension Negotiation Services for the City's Solid Waste Disposal at Newby Island and On-Call Solid Waste Support Services
3. Contract Authorization For Building Permit Plan Check Services: Authorize the City Manager to execute agreements with Structech Engineering and TRB+ Associates to provide building code compliance plan check services.
4. Contract Award: On-Call Sanitary Sewer Spot Repairs and CCTV Inspection Services (FY2021-2022) Award and authorize the City Manager to execute a contract in an amount not-to-exceed \$100,000 to C2R Engineering, Inc. for On-Call Sanitary Sewer Spot Repairs and CCTV Inspection Services.
5. Resolution No. 2021-45 Adopt Resolution accepting completion of the Sanitary Sewer Video Inspection, Project WW-0101119; and authorizing the Engineering Services Director to record a Notice of Completion as required by law.
6. Resolution No. 2021 -46 Adopt Resolution declaring the existence of a Local Emergency due to the Covid-19 Pandemic
7. Resolution No. 2021-44: Adopt Resolution Drought Response and Water Conservation Efforts supporting Cal Water's implementation of Schedule 14.1 and encourage water conservation efforts by residents, businesses, and other water users in Los Altos.
8. Resolution No. 2021-47 Adopt Resolution related to Employer-Employee Relations within the City of Los Altos

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

Council Member Lee Eng 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

9. Ordinance No. 2021 -478 - ZTA 20-0003 - Zoning Text Amendments  
Hold Public Hearing, Introduce, as read by title only, and waive further reading of an Ordinance amending Title 14 (Zoning) of the Los Altos Municipal Code to provide objective zoning standards for housing development projects. 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") pursuant to CEQA Guidelines Section 15061(b)(3), which states the general rule that CEQA applies only to projects which have

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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.

City Manager Engeland introduced the item. Community Development Director Biggs, and Planning Services Manager Persicone were available to answer questions. There were no Council questions.

Mayor Fligor opened the Public Hearing.

Jon Bear commented on the matter.

Community Development Director Biggs and Planning Services Manager Persicone reviewed the proposed Objective Zoning Standards with the Council. Council commented and provided input. Staff and consultants from Lisa Wise Consulting answered questions from the Council.

At 9:15 p.m. Mayor Fligor called for a brief recess. Prior to recessing there was consensus that Agenda Item #15. *Council Legislative Subcommittee Update And Potential Council Action* would be deferred. At 9:24 p.m. the meeting was reconvened.

Council discussion continued. Planning Commissioner Ahi answered questions from the Council as did City Attorney Houston, Community Development Director Biggs, and Planning Services Manager Persicone.

Council identified various minor edits, clarifications and deletions and noted certain provisions to be referred back to the Planning Commission for further study and future recommendations. Staff noted the edits to the Objective Standards.

Vice Mayor Enander moved that the Council introduce, as read by title only, and waive further reading of Ordinance No. 2021-478 amending Title 14 (Zoning) of the Los Altos Municipal Code to provide objective zoning standards for housing development projects, as amended per the Council discussion and agreement. 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

Vice Mayor Enander, seconded by Council Member Lee Eng, moved that the Council direct staff to take the items identified during the Council discussion to be referred back to the Planning Commission, to the planning Commission for further study and recommendations for any additions, changes or deletions to the newly adopted text amendments and bring back the recommendations back to the Council at a future date.

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

## DISCUSSION ITEMS

### 10. Floodplain Management Ordinances Nos. 2021-479 and 2021-480

- A. Adopt Urgency Ordinance No. 2021-479 of the City Council of the City of Los Altos amending the City of Los Altos Municipal Code to repeal Chapter 12.60 Flood Hazard Area Regulations and to replace it with a new Chapter 12.60 entitled Floodplain Management; to adopt Flood Hazard Maps; and making findings that this ordinance is exempt under CEQA Guidelines Sections 15307 And 15308.
- B. Introduce, as read by title only, and waive further reading of Ordinance No. 2021-480 An Ordinance of the City Council of the City Of Los Altos amending the City of Los Altos Municipal Code to repeal Chapter 12.60 Flood Hazard Area Regulations and to replace it with a new Chapter 12.60 entitled Floodplain Management; to adopt Flood Hazard Maps; and making findings that this ordinance is exempt under CEQA Guidelines Sections 15307 and 15308.

Senior Planner Golden provided a staff report and answered questions from the Council.

There were no members of the public wishing to comment.

Vice Mayor Enander moved that the Council adopt Urgency Ordinance No. 2021-479 of the City Council of the City of Los Altos amending the City of Los Altos Municipal Code to repeal Chapter 12.60 Flood Hazard Area Regulations and to replace it with a new Chapter 12.60 entitled Floodplain Management; to adopt Flood Hazard Maps; and making findings that this ordinance is exempt under CEQA Guidelines Sections 15307 And 15308. The motion was seconded by Council Member Lee Eng. The motion passed 5-0 with the following roll call vote:

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

Council Member Meadows moved that the Council Introduce, as read by title only, and waive further reading of Ordinance No. 2021-480 An Ordinance of the City Council of the City Of Los Altos amending the City of Los Altos Municipal Code to repeal Chapter 12.60 Flood Hazard Area Regulations and to replace it with a new Chapter 12.60 entitled Floodplain Management; to adopt

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Flood Hazard Maps; and making findings that this ordinance is exempt under CEQA Guidelines Sections 15307 and 15308. The motion was seconded by Mayor Fligor and the motion passed 5-0 with the following roll call vote:

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

11. License Agreement - Friends of the Library: Consider the request for a limited-term License Agreement with the Friends of the Library to use city-owned land at the Government Center and, if approved, direct staff to execute the draft License Agreement with the Friends of the Library.

City Manager Engeland introduced the item. Municipal Services Director Hernandez also provided information and answered questions from the Council.

Catharine Kristian, Director Friends of the Library, provided a presentation and answered questions from the Council.

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

Following discussion, Vice Mayor Enander moved that the Council direct staff to draft and authorize the City Manager to execute an extended lease at the current location, with terms similar to the existing agreement, if necessary, to avoid any gaps in contractual coverage, but not to extend past August 24, 2022. The motion was seconded by Council Member Weinberg and the motion passed 5-0 with the following roll call vote:

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

Council further directed staff to work with the Friends of the Library to determine if the Woodland Library location would be a feasible location for the Friends of the Library to co-locate and operate long-term and report back to Council. In addition, staff was directed to come back at a future date with a policy on use of City land by non-profits.

12. Future City Council Meeting Location: Discuss and provide direction to staff for the location of City Council meetings upon expiration of State orders permitting entirely virtual meetings.

Deputy City Manager Maginot provided a report and offered to answered questions from the Council. Roberta Phillips provided public comment.

Council Member Weinberg moved that upon expiration of the State orders pertaining to virtual meetings, the City Council meetings be held in the new Community Center. The motion was seconded by Vice Mayor Enander and the Motion passed 5-0 with the following roll call vote:

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

Council inquired about the building's air handling equipment and the legality of implementing meeting safety protocols and certain criteria for entrance into City meetings. City Manager Engeland stated that staff would be looking into all aspects of the matter and reporting back to Council.

13. Formation of a City Council Lehigh Quarry Subcommittee: Discuss and determine whether to form a City Council Lehigh Quarry Subcommittee; discuss and determine the role and scope of such subcommittee and appoint two City Council Members to serve on the subcommittee

Mayor Fligor provide background information on the matter. Mayor Fligor also indicated that that she was no longer interested in serving on the Subcommittee.

Roberta Phillips, member of the public, commented.

Following Council discussion, Vice Mayor Enander moved the Council form a Council Lehigh Quarry Subcommittee comprised of Council Members Lee Eng and Meadows to work on identifying impacts to the community and surrounding environment relative to the operations at the subject site, identify ways to lessen the impacts and work with other jurisdictions in advocating for the safety and protection of the community, be aware of, and communicate with the Council, about other jurisdictions' regulations or attempts to regulate operations at the Quarry, and to further develop, and bring back to Council at a future date, the role of the subcommittee including how the Environmental Commission can play a role in the effort and how the City can work with Midpeninsula Regional Open Space (and other jurisdictions) toward the common goal. The motion was seconded by Council Member Meadows and the motion passed 5-0 with the following roll call vote:

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

Council Member Lee Eng noted that at the end of the week the County Planning Commission would be considering allowed uses at the Lehigh Quarry and that she would recommend sending a letter on behalf of the Council expressing the Council's position and concerns. There was Council consensus for the subcommittee to draft a letter for the Mayor's signature to be submitted to the Santa Clara County Planning Commission.

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14. Designation of Voting Delegate and Alternate: Designate Two Council Members one as Delegate and one Alternate for the purpose of attending and voting at the League of California Cities Annual Conference Sept 22-24, 2021

Mayor Fligor noted that she and Council Member Weinberg had indicated an availability to attend the conference.

Council Member Weinberg moved that the Council designate Mayor Fligor as the voting delegate and himself (Council Member Weinberg) as the voting alternate delegate for the City of Los Altos for the 2021 LCC Annual Conference. The motion was seconded by Council Member Lee Eng and the motion passed with a 5-0 roll call vote:

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

15. 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, AB 68, SB 215, AB 339, AB 473, AB 682, AB 989, AB 1401, AB 1322; SB 4, SB 6, SB 9, SB 10, SB 15, SB 16, SB 278, SB 477, SB 478, SB 556, SB 612, SB 640, SB 785. (Vice Mayor Enander; Council Member Weinberg)

The above item was deferred, earlier in the evening, to the next meeting.

#### **INFORMATIONAL ITEMS ONLY**

- Community Center Construction Monthly Update – June 2021
- Tentative Council Calendar

No comments/No action taken.

#### **COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS**

Council Member Lee Eng, with support from Vice Mayor Enander, requested that an item to discuss formation of a Council Subcommittee to assist with the analysis of the use of the feasibility of collocating the Friends of the Library at the Woodland Library site be placed on a future agenda.

Council Member Lee Eng also suggested that information provided by Gary Kremen, Board Vice Chairperson, Santa Clara Valley Water District on water saving incentives be placed on the City's website, she inquired about City Hall business hours for the public and noted that she thought there would be some benefit to the Council to consider a team building/relationship building session. City Manager Engeland responded.

Council Member Weinberg noted that he had been chosen to be a part of the Champions Institute that provides local officials the opportunity to gain the knowledge needed to effectively advocate for and support safer and more complete streets.

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Council Member Weinberg, with support of the entire Council requested the City Manager work with the City Attorney to determine if a Closed Session could be scheduled to discuss the legalities of requiring a mandatory vaccination policy for City employees.

With support from Council Member Meadows and Mayor Fligor, Council Member Weinberg requested a future agenda item to discuss development of a policy on censuring, admonishing, and addressing situations when a Council Member may violate the Council Norms or commit other infractions.

Council Member Enander noted the omission of several (annual or already placed) items from the Council Tentative Calendar. Staff made note of the missing items.

Mayor Fligor congratulated Los Altos Hills for winning the Los Altos Hills-Los Altos annual softball game this year and as a result will wear a Los Altos Hills hat to a City Council meeting.

#### **ADJOURNMENT**

At 12:35 a.m., Wednesday, August 24, 2021, Mayor Fligor adjourned the meeting.

ATTEST:

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Neysa Fligor, MAYOR

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Andrea M. Chelemengos MMC, CITY CLERK