



**MINUTES OF THE REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF LOS ALTOS
7:00 P.M., TUESDAY, SEPTEMBER 21, 2021**

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

MEETING CALLED TO ORDER

At 7:04p.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

Catherine Zaretski, Girl Scout Troop 61427, 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 that there was no action taken and nothing to report. City Attorney Houston was not present during the closed session.

CHANGES TO THE ORDER OF THE AGENDA

There were no changes.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were no public comments.

CONSENT CALENDAR

1. City Council Minutes: Approve the Minutes of the September 14, 2021, Regular Meeting
2. Design Contract Award: CIPP Corrosion Rehabilitation, Project WW-01005: Authorize the City Manager to execute an agreement on behalf of the City with Freyer & Laureta, Inc. in the amount of \$151,100 to provide design and consulting services for the CIPP Corrosion Rehabilitation Project WW-01005

Council Member Lee Eng requested that Consent Calendar Item #1 *City Council Minutes* be removed from the Consent Calendar.

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

Mayor Fligor stated that Item #1 would be heard following Item #6.

Council Member Meadows moved to approve the Consent Calendar Item #2. 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

3. City of Los Altos – Title 14, Zoning Amendment – Public Land Protection Ordinance
Introduce and hold First Reading, as read by title only and waive further reading of An 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.

Community Development Director Biggs provided a staff report and answered questions from the Council, as did City Attorney Houston.

The following members of the public commented: Penny Lave, Teresa Morris, Ann Paulson, Roberta Phillips, Gene, Jeanine Valadez, Joe Beninato, Ginny, and South Los Altos Resident.

Following Council discussion, Council Member Lee Eng moved that the Council introduce the Ordinance, with the amendment that a vote of a 4/5 of the City Council may repeal the Public Land Protection Overlay designation, and direct staff to return to the Council with a separate action plan to apply the PLP overlay to the entire Civic Center properties, including Hillview. The motion was seconded by Vice Mayor Enander and the motion failed 3-2 with the following roll call vote:

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

Council discussion commenced. Direction was given, with support of Mayor Fligor, Vice Mayor Enander and Council Member Lee Eng, for staff to bring back information on the various options and process required to apply a public land protection overlay district that solely focuses on Hillview (City owned) property and provide information on the process involved to implement an open space/park land district. They also directed staff to bring back an Ordinance that provides protections for only the Civic Center site.

Staff clarified that depending on the conditions/criteria contained within a potential overlay other properties with similar conditions may be encompassed in the overlay. City Attorney Houston provided clarifying information.

DISCUSSION ITEMS

4. Update on American Rescue Plan Act Allocation: Accept the deposit of the entirety of American Rescue Plan Act dollars into the City's General Fund as lost revenue replacement and provide direction on if any alternative uses should be considered using General Fund dollars

Deputy City Manager Maginot provided a report and answered questions from the Council, as did City consultant Barry Foster of Hinderliter de Llamas & Associates (HdL).

Roberta Phillips provided public comment.

Council Member Weinberg moved to accept the deposit of the entirety of American Rescue Plan Act dollars into the City's General Fund as lost revenue replacement. The motion was seconded by Council Member Meadows 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

5. Extending The Off-Leash Pilot Program At The Hillview Baseball Field: Adopt Resolution No. 2021-50 extending the Off-Leash Pilot Program at the Hillview Baseball Field and making findings pursuant to CEQA that the Resolution is categorically exempt from Environmental Review

Maintenance Services Director Hernandez provided a report and answered questions from the Council as did City Manager Engeland.

At 8:54 p.m., Mayor Fligor called for a short recess. The meeting was reconvened at 9:02 p.m.

The following members of the public commented: Call in speaker identified as 1650 996 7989, Wes, Lisa Deegan, Teresa Morris, Gene, Jeanine Valadez, and Roberta Phillips.

Following discussion, Vice Mayor Enander moved to amend the Resolution, where applicable to insert extension dates of “September 28, 2021 until November 14, 2021”, and removal of language “and until such time that the City Council receives a recommendation from the PARC and Council takes action” and adopt Resolution No. 2021-50 extending the Off-Leash Pilot Program at the Hillview Baseball Field from September 28, 2021 until November 14, 2021, and make the findings pursuant to CEQA that the Resolution is categorically exempt from Environmental Review. The motion was seconded by Council Member Weinberg and the motion passed 4-1 with the following roll call vote:

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

Staff answered follow up questions relative to the matter and Council indicated a desire to receive the recommendation from the Park and Recreation Commission as soon as possible.

6. In-Person City Council Meetings: Discuss logistics and protocol of In Person City Council Meetings

Deputy City Manager Maginot provided a report and answered questions of the Council

Mayor Fligor opened the floor for public comment. Roberta Phillips commented.

Following discussion, Vice Mayor Enander moved that the Council direct staff to continue holding virtual meetings at this time due to the Emergency Order and to revisit the matter on a monthly basis going forward. The motion was seconded by Council Member Lee Eng 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

1. City Council Minutes: Approve the Minutes of the September 14, 2021, Regular Meeting

Council Member Lee Eng stated that she had removed the minutes due to lack of detail in the changes relative to Agenda Item #9 City Council Norms and Procedures specifically relative to the Section 6.8 ii.

Council discussion commenced.

Roberta Phillips provided public comment.

Council Member Weinberg moved to approve the Minutes of September 14, 2021, as presented. The motion was seconded by Council Member Meadows and the motion passed 4-1 with the following roll call vote:

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

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: 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)

There was nothing to report and no action taken. There were no members of the public wishing to speak.

INFORMATIONAL ITEMS ONLY

- 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 be placed on a future Council agenda to discuss other options relative to a dog park including, the Cuesta annex area, and exploring a possible partnership with the City of Mountain View, by sending a letter to the Mayor of Mountain View.

Mayor Fligor, with support from Vice Mayor Enander, requested a legal memo to Council and Commissioners relative to implementation of Objective Development Standards.

Vice Mayor Enander, with the support of Mayor Fligor and Council Member Lee Eng, requested the Council direct staff, following the issuance of the legal memo, to place on a future agenda of the Planning Commission and the Design Review Commission a review of and recommendations of any simple or obvious changes needed to the Objective Development Standards.

Mayor Fligor, with the support of the four other Council Members, requested a future agenda item, prior to the mid-year budget report, to discuss how to use the funds provided to the City

from the American Rescue Plan Act Allocation. She also reported on various upcoming City events.

City Manager Engeland addressed questions having to do with various administrative matters.

ADJOURNMENT

At 10:43 p.m., Mayor Fligor adjourned the meeting.

Neysa Fligor, MAYOR

ATTEST:

Andrea M. Chelemengos MMC, CITY CLERK

DRAFT