

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LOS
ALTOS, HELD ON TUESDAY, SEPTEMBER 11, 2007, AT 7:00 P.M. AT LOS ALTOS CITY
HALL, ONE NORTH SAN ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

ROLL CALL

PRESENT: Mayor Cole, Councilmembers Carpenter, Packard, Casas and Becker

ABSENT: None

PLEDGE OF ALLEGIANCE

Mayor Cole led the pledge of allegiance to the flag.

CLOSED SESSION ANNOUNCEMENT

Mayor Cole reported that council had voted 5-0 to approve renewed contracts with the Police Officers Association and the Teamsters. He stated that negotiations with Roxy Rapp for the development of the property at First and Main Streets had expired. He further reported that Council had unanimously approved a pay increase for the city clerk that had been previously approved for other department heads, retroactive to July 1, 2007.

PUBLIC COMMENTS

Dave Hardenbrook, Los Altos resident, commented on the parking area at McKenzie Park.

CONSENT CALENDAR

Items 3, 4 and 8 were pulled for discussion.

Councilmember Packard abstained from voting on item 10 as he has financial interest in property that creates a conflict of interest.

On a MOTION BY COUNCILMEMBER PACKARD, SECONDED BY MAYOR PRO TEM CARPENTER, AND PASSED UNANIMOUSLY, the following items were approved, with the exception of items number 3, 4 and 8:

1. Fee Waiver
Granted a request for a \$137 fee waiver from Ye Olde Town Band to hold their annual picnic at Shoup Park
2. Fremont Avenue Bridge Rehabilitation Project
Adopted a resolution approving Program Supplement (No. M002 Revision 2 under the Administering Agency-State Master Agreement No. 04-5309R) required to fund the Fremont Avenue Bridge Rehabilitation, Project No. 02-19 and authorized the City Manager to execute the agreement
3. California Water Company Rate Increase (Pulled for discussion)
Recommendation from the Assistant Civil Engineer to:

- A. Authorize staff to retain a water rate consultant to monitor the California Public Utilities Commission rate setting process and allow the process to proceed without the City being registered in the first and second levels of participation in the service list for this case.
 - B. Appropriate funds for the selected level of City participation from the Capital Improvement Projects Unreserved Fund Balance.
4. CalOSHA Regulatory Compliance (Pulled for discussion)
Recommendation from the Human Resources Manager to appropriate \$30,000 from the Operating Reserve to Human Resources to assist the City in complying with CalOSHA safety and health regulations citywide
 5. Safe Routes to School Review
Approved a subset of Bicycle and Pedestrian Advisory Committee (BPAC) members to review 35% design completion of the 2007 Safe Routes to School (SR2S) project.
 6. Zoning Ordinance Amendments
Adopted an ordinance amending Chapters 6.16 and 11.08 of the Municipal Code pertaining to allowed construction hours and tree protection
 7. Los Altos High School Restricted Parking
Implemented no-parking restrictions from 8 am to 2 pm on Almond Avenue at 365 Almond and along the Almond frontage at 215 Sunkist Lane and 200 Avalon Drive
 8. Rebuilding Los Altos (Pulled for discussion)
Recommendation from Councilmembers Becker and Casas to appoint community members to the Rebuilding Los Altos Advisory Committee

DISCUSSION ITEMS

9. General Plan Amendment – Unincorporated Area Land
Community Development Director Walgren reviewed the memorandum and recommendations from the Planning Commission. He clarified that the Sphere of Influence (SOI) is within the city's urban service area.

The following residents directed comments to the Council:

JoAnne Matthews	Terry Conner	Peter McSweeney
Carolynn Williams	Helen Kerfoot	Ted Brown
Lee Shahinian	Janie Brown	Carolyn Barnes
Thomas Diamont	Donald Wright	John Barnes
Scott Brown	Jeannie Conner	

Council discussion focused on the choices for residents on the zoning designation for their lot size and whether there is interest in annexing into the City. They asserted that there is no need to rush to a decision and that the General Plan defines a range of zoning in the SOI. There was interest in polling the 56 properties to get as much feedback as possible from the affected property owners before a decision is made.

MOTION BY COUNCILMEMBER BECKER, to accept the memorandum and adopt the resolution amending the Los Altos General Plan map. THE MOTION DIED FOR LACK OF A SECOND.

MOTION BY COUNCILMEMBER PACKARD, SECONDED BY MAYOR PRO TEM CARPENTER, to direct staff to survey the residents of area 1 for feedback regarding the zoning and to include in the survey whether they favor annexing into the jurisdictional boundary of the City of Los Altos. THE MOTION CARRIED 4-1, with Councilmember Becker abstaining, as a member of the Los Altos Golf and Country Club.

Mayor Cole called a recess at 8:35 p.m., and then reconvened the meeting at 8:45 p.m.

At this juncture, COUNCILMEMBER PACKARD MOVED, SECONDED BY COUNCILMEMBER BECKER, to continue item 13, Capital Improvements Projects Priorities and Funding, to a date uncertain to allow the city manager to review the list. THE MOTION CARRIED UNANIMOUSLY.

10. Dog Park

Councilmember Casas introduced the item, asserting that many families have requested a dog park in Los Altos.

The following residents addressed Council:

Jenny Williams	Fritz Knochenhauer	Daniel Rubashersky
Marian Cooper	Don Anderson	Vladimir Rubashersky
Lynette Lee Eng	Jane Clayton	Cynthia Gaertner-Bridges
Bob Moffet	Heather Larkin	Liping Zhu

Council discussed exploring options for coordinating with contiguous jurisdictions to develop a park to be used by area residents.

MOTION BY COUNCILMEMBER PACKARD, SECONDED BY COUNCILMEMBER CASAS, to direct a council subcommittee to coordinate efforts with the Parks, Arts and Recreation subcommittee to study the feasibility of costs of establishing a fenced dog park in Los Altos or immediate adjacent areas. THE MOTION CARRIED UNANIMOUSLY.

Mayor Pro Tem Carpenter and Councilmember Casas were appointed to the Council subcommittee to study dog parks.

11. Traffic Calming Design Concepts and Standards

Councilmember Casas introduced the item by stating that the Assistant Fire Chief has stated support for speed humps that are well placed and designed.

Traffic Engineer Ho added that residents at Neighborhood Traffic Management Plan (NTMP) meetings expressed concern for needing additional alternatives for traffic calming.

The following offered comments:

Tanya Maluf
Kurt Ayers
Rick Harker

Council discussion touched on the appearance and noise associated with speed humps and other traffic calming solutions. They generally agreed that the raised crosswalks and median islands on El Monte have proven to be a good solution. They were interested in identifying additional traffic calming options.

MOTION BY COUNCILMEMBER PACKARD, SECONDED BY COUNCILMEMBER CASAS, to add speed humps to the city's traffic calming design concepts and standards THE MOTION CARRIED 3-2, with Mayor Cole and Councilmember Becker dissenting.

MOTION BY COUNCILMEMBER PACKARD, SECONDED BY MAYOR PRO TEM CARPENTER, to direct the Traffic Commission to review additional alternative to add to the City's suite of traffic calming options. THE MOTION CARRIED 4-1, with Mayor Cole dissenting..

12. Los Altos Garden Supply

Council accepted the report on the financial impact to the City of Los Altos of the sales and property taxes due to the sale of Los Altos Garden Supply and the underlying zoning designation.

13. Capital Improvement Projects Priorities and Funding (Continued to future meeting)
Recommendation from the Assistant City Manager to evaluate the current capital projects priorities to focus funding and staff time on City Council's highest priority capital projects

14. Tree Removal at 309 Second Street (continued from August 28, 2007)

Council agreed with the staff's decision to remove a redwood tree from City property at 309 Second Street.

15. San Antonio Road Crosswalks

Councilmember Casas noted that while countdown heads are a valuable feature at crosswalks, it may slow the installation of the flashing crosswalk system that has prior Council approval.

Council agreed that the added feature should be considered as a separate project as it is currently on the CIP list of unfunded projects.

16. Valley Transportation Authority (VTA)

Councilmember Packard opened the discussion and noted that the Valley Transportation Authority's use of public funds for marketing materials and distribution is currently being examined by the Executive Board of the Santa Clara County Cities Association (SCCCA).

Council briefly discussed the fact that the VTA will be audited at the state level and the SCCCA will comment on the audit.

ITEMS PULLED FROM THE CONSENT CALENDAR

3. Cal Water Rate Increase

Council questioned the value of spending money to merely monitor the process without participation to influence a decision. Examples of poor financial decisions by the organization requesting the rate increase were given.

Assistant Public Works Director Gustafson responded to questions posed by Council regarding advocacy for our area by ratepayer user groups.

MOTION BY COUNCILMEMBER PACKARD, SECONDED BY MAYOR PRO TEM CARPENTER, to direct staff to gather additional information and continue the item to September 25, 2007. THE MOTION CARRIED UNANIMOUSLY.

4. CalOSHA Regulatory Compliance

Council queried whether there may be other ways to comply with the Injury and Illness Prevention Program (IILP) and if staff should have additional training to assure compliance in the future.

MOTION BY COUNCILMEMBER PACKARD SECONDED BY COUNCILMEMBER BECKER, to appropriate \$30,000 from the Operating Reserve to Human Resources to assist the City in complying with CalOSHA safety and health regulations citywide. THE MOTION CARRIED UNANIMOUSLY.

8. Rebuilding Los Altos

Mayor Pro Tem Carpenter introduced the item stating that the committee would benefit from adding a few more members to the roster with additional area of expertise.

Council recognized that in the event three Councilmembers are on the roster, that one must resign to prevent a violation of the open meeting law.

MOTION BY COUNCILMEMBER PACKARD, SECONDED BY COUNCILMEMBER CASAS, to appoint the recommended members and to accept additional members to be ratified by Council at the next Council meeting. THE MOTION CARRIED UNANIMOUSLY.

COUNCIL REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Councilmember Packard noted concerns for dogs being off-leash in parks.

Mayor Pro Tem Carpenter reported on the League of California Cities General Assembly Resolutions Committee. She further noted the success of the Annual Community Picnic and announced that visitors are coming from our Sister City in Bendigo, Australia. She concluded with reporting numerous upcoming community meetings.

Councilmember Becker queried about single stream recycling. Staff will provide a copy of a previous staff report and minutes regarding this issue and the approval of a contract with the Los Altos Garbage Company.

Councilmember Casas requested that the Council meet in joint session with the Traffic Commission as soon as a meeting can be scheduled. He announced the Antique and Collectibles Faire will be held on September 16 and the Packard Foundation will hold an open house on September 27th.

ADJOURNMENT

Mayor Cole adjourned the meeting at 10:32 p.m.

Robert C. Cole, MAYOR

Susan Kitchens, CITY CLERK