

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF  
THE CITY OF LOS ALTOS, HELD ON TUESDAY, MAY 9, 2017,  
BEGINNING AT 7:00 P.M. AT LOS ALTOS CITY HALL, 1 NORTH SAN  
ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

**ESTABLISH QUORUM**

PRESENT: Mayor Prochnow, Vice Mayor Mordo, Councilmembers Bruins, Lee Eng and Pepper

ABSENT: None

**PLEDGE OF ALLEGIANCE**

Mayor Prochnow led the Pledge of Allegiance to the flag.

**CLOSED SESSION ANNOUNCEMENT**

1. Conference with Legal Counsel – Anticipated Litigation  
Pursuant to Government Code Section 54956.9(d)(2)

Mayor Prochnow reported that no action was taken during the Closed Session meeting.

**CHANGES TO THE ORDER OF THE AGENDA**

Action: Upon a motion by Mayor Prochnow, seconded by Councilmember Lee Eng, the Council unanimously moved item number 6 to immediately before item number 4.

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Lee Eng, the Council unanimously continued item number 5 to the May 23, 2017 meeting at the request of the applicant.

**SPECIAL PRESENTATION**

Mayor Prochnow recognized the Margaret Thompson Historical Essay Contest winners.

Mayor Prochnow presented a proclamation recognizing Pinky Whelan as the 2017 Historic Preservation Award winner.

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

Los Altos resident Wallace Palmer encouraged the Council to conduct more quantitative research to reflect the population of Los Altos.

**CONSENT CALENDAR**

Direction: At the request of Councilmember Lee Eng, the Council directed staff to review the April 20, 2017 joint study session with the Planning and Transportation Commission and continued the minutes from that meeting to a future meeting.

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Lee Eng, the Council unanimously approved the Consent Calendar, as follows:

1. Council Minutes: Approved the minutes of the April 25, 2017 regular meeting.
2. Professional Services Agreement Amendment: IT Consulting Services: Authorized the City Manager to execute Amendment No. 1 to the agreement between the City of Los Altos and CleanSlate Technology Group for IT Consulting Services.
3. Community Development Block Grant Funding: University Avenue Crosswalk Improvements, Project TS-01035: Approved the revised University Avenue Crosswalk Improvements, Project TS-01035 project description and budget to utilize \$170,050 Community Development Block Grant Capital Improvement Program (CIP) funds and \$40,000 City CIP funds; authorized the City Manager to execute the Community Development Block Grant contract for FY 2017/18; and appropriated up to \$170,050 of eligible Community Development Block Grant funds to the University Avenue Crosswalk Improvements, Project TS-01035.

## **DISCUSSION ITEMS**

6. Identification of Affordable Housing Opportunities: Review and concur with staff that the starting point for identifying affordable housing opportunities should be the goals, policies and programs of the Housing Element of the City's General Plan (taken out of order)

Community Development Director Biggs presented the report.

### Public Comments

Mircea (no last name given) encouraged the Council to consider allowing microunits and to increase density in some areas of the City.

Los Altos resident Roberta Phillips stated that the goal is not to create more density, it's to create more affordable housing and to be fair to residents.

Los Altos resident Sue Russell, representing the League of Women Voters, supported measures to increase affordable housing and suggested considering the use of City-owned land for affordable housing.

Direction: Councilmembers generally concurred that the starting point for identifying affordable housing opportunities should be the goals, policies and programs of the Housing Element, specifically looking at opportunity sites for housing, increasing the diversity of unit sizes, setting below market rate units to last in perpetuity and ensuring that the City is properly enforcing the affordable units within the City.

## **PUBLIC HEARING**

4. Ordinance No. 2017-432: Accessory Dwelling Units: Introduce and waive further reading of Ordinance No. 2017-432 amending the accessory dwelling unit regulations

Planning Services Manager Kornfield presented the report.

*Mayor Prochnow recessed the meeting at 9:12 p.m. The meeting resumed at 9:22 p.m.*

Mayor Prochnow opened the public hearing.

### Public Comments

Los Altos resident Anita Enander encouraged the Council to take a minimal approach to allowing accessory dwelling units.

Los Altos resident Diana Aston supported the ordinance.

Los Altos resident Les Poltrack encouraged the Council to remove the requirement that the property owner live on the property in order to rent the accessory dwelling unit.

Los Altos resident Roberta Phillips commented that the ordinance does not meet the need for affordable housing and opposed allowing units on 10,000 square foot lots.

Los Altos residents Abby Ahrens, Ronit Bodner, Alex Samek, and Sue Russell, representing the League of Women Voters, supported the ordinance and encouraged the Council to allow for flexibility in the architecture of accessory dwelling units.

Los Altos resident Roy Lave suggested that the size of the accessory dwelling unit be tied to the size of the lot.

Los Altos Jeremy Macaluso stated that accessory dwelling units can be less intrusive than large homes.

Mayor Prochnow closed the public hearing.

Action: Upon a motion by Councilmember Bruins, seconded by Vice Mayor Mordo, the Council unanimously continued consideration of Ordinance No. 2017-432 to the May 23, 2017 Council meeting and directed staff to draft an ordinance that incorporates Council direction.

Direction: Councilmembers provided general direction to remove the deed restriction that the principal residence of the property owner be maintained on the property, that the minimum lot size be 10,000 square feet, that the maximum accessory dwelling unit size be 800 square feet, and that the parking requirement be one space per accessory dwelling unit.

## DISCUSSION ITEMS CONTINUED

5. 4880 El Camino Real – Elevator Tower Height Waiver: Adopt Resolution No. 2017-14 allowing a development waiver for 4880 El Camino Real to allow the elevator height to 15.5 feet above the roof, but subject to keeping the overall height of the building at 69 feet

Item 5 was continued to the May 23, 2017 Council meeting at the request of the applicant.

7. Affordable Housing Linkage Fees: Direct staff to prepare an ordinance requiring residential and commercial linkage fees

Planning Services Manager Kornfield presented the report.

### Public Comments

Los Altos residents Gary Hedden and Sue Russell (representing the League of Women Voters) supported the linkage fees and encouraged the Council to consider fees on low-density housing projects.

Los Altos resident Les Poltrack opposed setting a high fee.

Direction: Councilmembers directed staff to prepare an ordinance requiring residential and commercial linkage fees with a majority providing direction on the following: 1) staff is to propose a fee for owner-unit, multiple-family developments; 2) \$15 per square foot for non-residential developments; 3) \$25 per square foot for office developments; and 4) \$45 per square foot for rental unit, multiple-family developments.

8. Commission recruitment and appointment process: Direct staff on desired changes to how the City recruits and appoints Commissioners

This item was continued to the May 23, 2017 meeting.

## INFORMATION ONLY ITEM

- A. 2017 Council Priorities status update

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

None

## ADJOURNMENT

Mayor Prochnow adjourned the meeting at 12:07 a.m.

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Mary Prochnow, MAYOR

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Jon Maginot, CMC, CITY CLERK

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**ESTABLISH QUORUM**

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ABSENT: None

**PLEDGE OF ALLEGIANCE**

Mayor Prochnow led the Pledge of Allegiance to the flag.

**CLOSED SESSION ANNOUNCEMENT**

1. Conference with Labor Negotiators

Pursuant to Government Code Section 54957.6(a)

Employee organization: Los Altos Peace Officers' Association

Agency designated representatives: J. Logan, Assistant City Manager

Rick Bolanos, Outside Legal Counsel

Chris Jordan, City Manager

Andy Galea, Police Chief

Jon Maginot, City Clerk/Asst. to the City Manager

2. Conference with Labor Negotiators

Pursuant to Government Code Section 54957.6(a)

Employee organization: Los Altos Municipal Employees Association

Agency designated representatives: Sharif Etman, Administrative Services Director

Rick Bolanos, Outside Legal Counsel

Chris Jordan, City Manager

3. Conference with Legal Counsel – Anticipated Litigation

Pursuant to Government Code Section 54956.9(d)(2)

4. Public Employment: City Manager Performance Review

Pursuant to Government Code Section 54957(b) and 54957.6

Mayor Prochnow reported that no action was taken during the Closed Session meeting.

**CHANGES TO THE ORDER OF THE AGENDA**

Action: Upon a motion by Councilmember Bruins, seconded by Vice Mayor Mordo, the Council unanimously continued items number 11 and 12 to future meetings (dates uncertain).

## **SPECIAL PRESENTATIONS**

Alyssa Robins gave a presentation on the Woodland Library Demonstration Garden.

Mayor Prochnow presented a proclamation recognizing May as National Foster Care Awareness Month.

Public Works Director Chan presented the American Public Works Association Silicon Valley Chapter Project of the Year award for the Fremont Avenue Bridge Replacement Project.

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

None

## **CONSENT CALENDAR**

Action: Upon a motion by Councilmember Bruins, seconded by Vice Chair Mordo, the Council unanimously approved the Consent Calendar, as follows:

1. Council Minutes: Approved the minutes of the April 20, 2017 joint study session with the Planning and Transportation Commission, as amended to change the word “expand” in the direction given by Council to read “consider increasing.”
2. Youth Commission appointments: Reappointed Vikram Bharati to a one-year term on the Youth Commission expiring June 2018; reappointed Anooshkha Shetty to a two-year term on the Youth Commission expiring June 2019; and appointed Nesyah Galatin, Brianna McKean, and Wenbo Xu to two-year terms on the Youth Commission expiring June 2019.
3. Tentative Map Extension – 980 Covington Road: Approved a one-year extension for an approved tentative map for a two-lot subdivision.
4. New Electronic Permit Tracking System: Authorized the City Manager to execute an agreement on behalf of the City with Superior in an amount not to exceed \$430,149 for the development and implementation of a new electronic permit tracking system per IT Initiatives, Project CD-01008, with direction to staff to include in the contract language that all capabilities of the system be functional and working upon installation.
5. Professional Services Agreement: HR Services: Authorized the City Manager to execute Amendment No. 2 to the agreement between the City of Los Altos and TM Consulting for HR Services for a total contract not to exceed \$165,000.
6. Resolution No. 2017-16: Solid Waste Rate Adjustment: Adopted Resolution No. 2017-16 authorizing the increase of Solid Waste Collection Rates by 3.1598% effective July 1, 2017.
7. Agreement for Countywide Household Hazardous Waste Collection: Authorized the City Manager to execute the Second Amendment to the Agreement for Countywide Household Hazardous Waste Collection Program with the County of Santa Clara on behalf of the City.

8. Construction Contract Award: City Hall HVAC System Upgrades, Project CF-01007: Appropriated \$194,266.53 to Capital Improvement Program Project CF-01007; awarded the Base Bid for the City Hall HVAC System Upgrades, Project CF-01007 to Omni Construction Services, Inc. in the amount of \$648,000 and authorized the City Manager to execute a contract on behalf of the City; and authorized the City Manager to execute Amendment No. 7 to the agreement between the City of Los Altos and Mechanical Applications Consultants in the amount of \$2,500 for additional professional services provided to the City.
9. Construction Contract Award: CIPP Corrosion Rehabilitation, Project WW-01005: Awarded the Base Bid for the CIPP Corrosion Rehabilitation, Project WW-01005 to Insituform Technologies, LLC in the amount of \$409,486 and authorized the City Manager to execute a contract on behalf of the City.
10. Construction Contract Award: W. Edith/University Avenue Crosswalk Improvements, Project TS-01034: Appropriated an additional \$97,318 of Capital Improvement Program funds toward W. Edith/University Avenue Crosswalk Improvements, Project TS-01034; awarded the Base Bid for W. Edith/University Avenue Crosswalk Improvements, Project TS-01034 to Wattis Construction, Inc. in the amount of \$234,324; and authorized the City Manager to execute a contract on behalf of the City.

## **PUBLIC HEARING**

11. Ordinance No. 2017-432: Accessory Dwelling Units: Introduce and waive further reading of Ordinance No. 2017-432 amending the accessory dwelling unit regulations

Item 11 was continued to a future meeting to allow the City to review height and setback requirements for accessory dwelling units.

## **DISCUSSION ITEMS**

12. 4880 El Camino Real – Elevator Tower Height Waiver: Adopt Resolution No. 2017-14 allowing a development waiver for 4880 El Camino Real to allow the elevator height to 15.5 feet above the roof, but subject to keeping the overall height of the building at 69 feet

Item 12 was continued to a future meeting.

13. Hillview Community Center Project Task Force appointments: Appoint individuals to serve on the ad hoc Hillview Community Center Project Task Force

Councilmembers submitted ballots to determine the 11 individuals to serve on the Task Force.

Action: Upon a motion by Vice Mayor Mordo, seconded by Councilmember Bruins, the Council unanimously appointed the following to serve on the ad hoc Hillview Community Center Project Task Force: Maria Bautista, Philip Chou, Brian Cilker, Claudia Coleman, Katherine Cushing, Stuart Eckmann, Stuart Klein, Cathy Lazarus, Barbara Loebner, Susan Mensinger and Dennis Young.

Action: Upon a motion by Vice Mayor Mordo, seconded by Councilmember Bruins, the Council unanimously appointed Claudia Coleman to serve as the Chair of the Hillview Community Center Project Task Force.

14. Open Government Policy: Receive the report from the Open Government Standing Committee and provide direction to staff on the recommendations made therein

Councilmembers Lee Eng and Pepper presented the recommendations of the Open Government Standing Committee.

Public Comment: Bill Maston encouraged the Council to remove the requirement for story poles within the Open Government Policy and to require the use of 3D models instead.

Direction: Councilmembers provided feedback on the recommendations and directed the members of the Open Government Standing Committee to make revisions to the Open Government Policy and incorporate the following recommendations: maintain the noticing requirements for multiple-family, commercial and mixed-use projects at 500 feet, enhance the requirements for story poles as directed by Council and place all records related to multiple-family, commercial and mixed-use land use applications on the City's website.

15. Commission recruitment and appointment process: Direct staff on desired changes to how the City recruits and appoints Commissioners

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Pepper, the Council unanimously directed staff to recruit for Commission vacancies as they arise and to hold interviews with applicants for nights in which regular Council meetings are scheduled and to maintain the twice-yearly recruitments for Commissions.

*Mayor Prochnow recessed the meeting at 8:27 p.m. The meeting resumed at 8:37 p.m.*

## **STUDY SESSION**

16. FY 2017/19 Biennial Operating Budget and 2018/22 Five-Year Capital Improvement Program: Review and consider the draft 2017/19 Biennial Operating Budget and 2018/22 Five-Year Capital Improvement Program

Financial Commissioner Gary Kalbach presented the Financial Commission recommendation. Administrative Services Director Etman presented the report.

Public Comment: Los Altos resident Stacy Banerjee encouraged the Council to add routes to Homestead High School and Cupertino Middle School to the City's Suggested Routes to School and to encourage the City of Sunnyvale to make improvements along routes to those schools.

Direction: Councilmembers directed staff to include funds in the Collector Street Traffic Calming project for improvements along Cuesta Drive.

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

Councilmember Bruins reported she attended the following: the Volunteer Appreciation Event on April 26, 2017, the Bike to Work Day event at Lincoln Park on May 11, 2017, a meeting of the City/Cupertino Union School District Schools Issues Committee with Councilmember Lee Eng on May 11, 2017, the Downtown Vision Workshops on May 17, 2017, and a GreenTown Los Altos event with Councilmember Lee Eng on May 17, 2017.

Mayor Prochnow reported she attended the following: the Pet Parade on May 20, 2017, the Public Art Master Plan workshop on May 22, 2017, the Bike to Work Day event at Lincoln Park on May 11, 2017 and the Junior Olympics at Mountain View High School on April 29, 2017.

Councilmember Pepper reported she conducted Open Office Hours on May 15, 2017, she met with individuals from the Cuesta Drive neighborhood and that she attended the Cities Association of Santa Clara County Annual Meeting on May 11, 2017 with Councilmember Lee Eng and City Manager Jordan.

### Staff reports

City Manager Jordan reported that Community Development Director Biggs and Economic Development Manager Quinn presented at the Los Altos Property Owners Downtown dinner.

## **ADJOURNMENT**

Mayor Prochnow adjourned the meeting at 10:26 p.m.

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Mary Prochnow, MAYOR

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Jon Maginot, CMC, CITY CLERK