

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF  
THE CITY OF LOS ALTOS, HELD ON TUESDAY, NOVEMBER 27, 2018,  
BEGINNING AT 7:00 P.M. AT LOS ALTOS CITY HALL, 1 NORTH SAN  
ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

**ESTABLISH QUORUM**

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

ABSENT: None

**PLEDGE OF ALLEGIANCE**

Presented by Brownie Girl Scouts, Troop 60466

**CLOSED SESSION ANNOUNCEMENT**

1. Conference with Labor Negotiations:  
Pursuant to Government Code Section 54957.6(a)  
Employee organization: Unrepresented Employees

City Attorney Diaz reported that the Council took no reportable action during the Closed Session. Mr. Diaz also added clarification that the Council did not discuss local agency executive heads salaries within the Closed Session.

Mayor Mordo reported that the Council decided to remove item 9 from the agenda and postpone to a future agenda.

**CHANGES TO THE ORDER OF THE AGENDA**

None

**SPECIAL PRESENTATION**

A. Fiscal Year 2017/18 Comprehensive Annual Financial Report

Administrative Services Director Etman introduced the item and Maze & Associates representative Katherine Yuen presented the report.

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

There was no one wishing to speak.

**CONSENT CALENDAR**

Members of the public pulled Item 5.

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Pepper, the Council unanimously approved the Consent Calendar, except for Item 5, as follows:

1. Council Minutes: Approved the minutes of the October 9, 2018 and November 13, 2018 regular meetings and November 13, 2018 study session.
2. Quarterly Investment Portfolio Report – Quarter ended September 30, 2018: Received the Investment Portfolio Report through September 30, 2018.
3. Resolution No. 2018-43: Conflict of Interest Code: Adopted Resolution No. 2018-43 amending the City of Los Altos Conflict of Interest Code.
4. Resolution No. 2018-44: Department of Justice grant funding acceptance: Rescinded Resolution No. 2018-27 and adopted Resolution No. 2018-44, which accepts grant funds of \$29,209 from the California Department of Justice for the implementation of tobacco education and enforcement programs.
5. Approval of Street Shoulder Improvement Policy: Approve the Street Shoulder Improvement Policy – *pulled for discussion, see below.*
6. Resolution No. 2018-45: LAMEA MOU Side Letter Agreement – Defined 9/80: Adopted Resolution No. 2018-45 to update LAMEA’s MOU with a Side Letter Agreement (Attachment 2, Appendix C) that replaces Article 9.1 and 11.1 in their entity and keep Article 11.2 unchanged.

#### **ITEMS PULLED FOR DISCUSSION**

5. Approval of Street Shoulder Improvement Policy: Approve the Street Shoulder Improvement Policy

Public Works Director Susanna Chan introduced the item.

Public Comment: The following individuals provided public comment: Gary Hedden, Barbara O’Reilly, Kevin O’Reilly, Fred Haubensak, Diana Neiman, Martin Neiman, Robert Burdick, Kate Disney, Barbara Kyser, Nancy Bremeau, Don Bray, Paola Zeni, Caroline Horn, Teresa Morris, Angelo Degiuli, Darwin Poulos, Tim Mulcahy, Tammy Mulcahy, Mike Abrams, Linda Ziff, Heather Larkin and Debbie Skelton.

Motion: Mayor Mordo made a motion to postpone the policy to a future meeting for discussion. The motion died for lack of a second.

Motion: Motion made by Councilmember Bruins, seconded by Councilmember Lee Eng, to approve the street shoulder improvement policy with the following modification: the default materials for the drainage swale will be constructed using permeable concrete pavers with the option to use asphalt based on the context of the project, based on staff’s discretion.

The motion failed by the following vote: AYES: Bruins, Lee Eng; NOES: Mordo, Pepper, Prochnow; ABSTAIN: None; ABSENT: None.

Motion: Motion made by Mayor Mordo, seconded by Vice Mayor Lee Eng, to continue the item to a new study session in which the Council will examine the options to be responsive to the residents.

The motion failed by the following vote: AYES: Lee Eng, Mordo; NOES: Bruins, Pepper, Prochnow; ABSTAIN: None; ABSENT: None.

Action: Motion made by Councilmember Pepper, seconded by Councilmember Prochnow, to approve the street shoulder policy with the revisions to require permeable materials for the first 3-feet of the bioswale and that the policy not specify the type of materials.

Vice Mayor Lee Eng offered an amendment, which was not accepted, to specify the types of permeable materials that could be used to construct the swale.

The motion, as made by Councilmember Pepper, passed by the following vote: AYES: Lee Eng, Mordo, Pepper, Prochnow; NOES: Bruins; ABSTAIN: None; ABSENT: None.

*Mayor Mordo recessed the meeting. The meeting resumed at 8:41 p.m.*

## **DISCUSSION ITEMS**

7. Proposed Five-Story, 50-Unit Multiple-Family Building at 4856 El Camino Real: Adopt Resolution No. 2018-42, which will approve Design Review application 18-D-01, Use Permit application 18-UP-01 and Subdivision application 18-SD-01 for a new 50-unit multiple-family development at 4856 El Camino Real

Planning Services Manager Dahl introduced the item. Project architect Jeff Potts presented the item.

Public Comment: The following individuals provided public comment: Sue Russell, Pierre Bedard, Fred Haubensak, Roberta Phillips, Charles Fine, Teresa Morris, Phan Truong, and Caroline Bedard.

Project Applicant Mircea Voskerician provided comment.

*Mayor Mordo closed the public hearing.*

Councilmember Pepper expressed concerns about the magnitude of the density bonus, the number of incentives, and the impact on the community.

Vice Mayor Lee Eng expressed similar concerns and added that she preferred all ten BMR units be rental units and that the Resolution provide more clarity regarding electric vehicle charging stations and stated approval of the Resolution and application would set a bad precedent for future development projects.

Action: Motion made by Councilmember Bruins, seconded by Councilmember Prochnow, to adopt Resolution No. 2018-42, which will approve Design Review application 18-D-01, Use Permit application 18-UP-01 and Subdivision application 18-SD-01 for a new 52-unit multiple-family development at 4856 El Camino Real.

Vice Mayor Lee Eng offered an amendment, which was not accepted, to require that all ten BMR units be rental units.

The motion as originally stated passed by the following vote: AYES: Bruins, Mordo, Prochnow; NOES: Lee Eng, Pepper; ABSENT: None; ABSTAIN: None.

8. Resolution No. 2018-46: Regional Housing Needs Allocation (RHNA) Subregion: Adopt Resolution No. 2018-46 supporting the formation of RHNA Subregion

Community Development Director Jon Biggs presented the report.

Action: Upon a motion by Councilmember Pepper, seconded by Vice Mayor Lee Eng, the Council unanimously adopted Resolution No. 2018-46 supporting the formation of RHNA Subregion.

9. Resolution No. 2018-47: Compensation ranges and benefits package for non-represented employees: Adopt Resolution No. 2018-47 approving adjustments to the compensation ranges for Calendar Years 2019 and 2020 and to the benefit package beginning with Fiscal Year 2019-20 for the non-represented employee group

The Council pulled the item from the agenda.

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

Councilmember Pepper reported that she attended the NCLA meeting on November 26, 2018.

Councilmember Bruins reported that she attended the MTC, SVCE, and CalTrain meetings, met with Councilmember-elect Fligor, attended the Homestead Road Corridor – Safe Routes to School community meeting, and joined the City Manager for a ride in a Waymo vehicle.

Councilmember Bruins also requested that the Mayor send a letter on behalf of the City Council supporting LASD and BCS boards to work together to resolve facilities disputes.

Vice Mayor Lee Eng reported that she participated in the Festival of Lights parade.

City Manager Chris Jordan recommended the Council view the agenda for Metropolitan Transportation Commission Workshop on the CASA Compact, scheduled for November 28, 2018 at 1:00 p.m. He also reminded the Council that Assistant Manager J. Logan and Public Works Director Susanna Chan are each finishing their last week with the City.

**ADJOURNMENT**

Mayor Mordo adjourned the meeting at 10:08 p.m.

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Lynette Lee Eng, MAYOR

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Jon Maginot, CMC, CITY CLERK