

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF  
THE CITY OF LOS ALTOS, HELD ON TUESDAY, JANUARY 8, 2019,  
BEGINNING AT 7:00 P.M. AT LOS ALTOS CITY HALL, 1 NORTH SAN  
ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

**ESTABLISH QUORUM**

PRESENT: Mayor Lee Eng, Vice Mayor Pepper, Councilmembers Bruins, Enander and Fligor

ABSENT: None

**PLEDGE OF ALLEGIANCE**

Mayor Lee Eng led the Pledge of Allegiance to the flag.

**CLOSED SESSION ANNOUNCEMENT**

Mayor Lee Eng reported that the Council took no reportable action in the Closed Session.

**CHANGES TO THE ORDER OF THE AGENDA**

There were no changes to the order of the agenda.

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

The following Los Altos residents provided public comment: Fred Haubensak, Paul (no last name provided), Gary Hedden, Mark Goodman (speaking on behalf of himself and Nancy Breneau, Shahla Aly, Linda Chin, Pam Goodman, and David Russell), Larry J. Gardner, Robert Burdick, Kate Disney, Dave Izant, Sue Russell, Sandra Parkes, and Phan Truong.

**CONSENT CALENDAR**

Councilmember Bruins made a motion to approve the Consent Calendar, seconded by Vice Mayor Pepper.

Councilmember Enander offered an amendment, which was accepted, to approve the Consent Calendar with revisions to the December 11, 2018 regular meeting minutes to reflect her statements on item 5.

The motion, as amended, passed unanimously, as follows:

1. Council Minutes: Approved the minutes of the December 4, 2018 special meeting and December 11, 2018 regular meeting.
2. Construction Contract Award: City Hall Restroom and Lobby Renovation, Project CF-01003: Awarded the construction contract for the City Hall Restroom and Lobby Renovation, Project CF-01003 and authorize the City Manager to execute a contract on behalf of the City.
3. Resolution No. 2019-01: Playground Equipment Replacement, Project CF-0101718: Adopted Resolution No. 2019-01 accepting completion of the Playground Equipment Replacement,

Project CF-0101718 and authorized the Interim Engineering Services Director to record a Notice of Completion, as required by law.

4. Parcel Map for 555 South El Monte Avenue: Approved the Parcel Map for 555 South El Monte Avenue.
5. Professional Services Agreement: City Hall Council Chambers Audio/Visual Upgrade, Project CD-01021: Authorized the City Manager to execute a professional services agreement between the City of Los Altos and the Shalleck Collaborative Inc. in an amount not to exceed \$92,450 for design and construction support services for City Hall Council Chambers Audio/Visual Upgrade, Project CD-01021.
6. Contract Amendment: City Council meeting online streaming service: Authorized the City Manager to execute an amendment to the service agreement with Granicus, Inc. for an 18-month period.

#### **DISCUSSION ITEM**

7. Story Pole Policy Exemption Request: 425 First Street Development: Per the findings specified in Resolution No. 2019-02, staff recommends approval of this request
8. Story Pole Policy Exemption Request: 389 First Street Development: Per the findings specified in Resolution No. 2019-03, staff recommends approval of this request

Planning Services Manager Dahl introduced the item.

Applicant Jeff Warmoth presented the exemption request for 425 First Street Development.

Applicant Jeff Potts presented the exemption request for 389 First Street Development.

Action: Upon a motion by Vice Mayor Pepper, seconded by Councilmember Fligor, the Council unanimously denied the story pole exemption request for 425 First Street Development and directed staff to develop a resolution of denial to come back to the Council on the Consent Calendar for January 22, 2019 Council meeting.

Action: Upon a motion by Vice Mayor Pepper, seconded by Councilmember Enander, Council referred the request for 389 First Street Development back to the applicant to work with staff to address the Council's concerns, which include developing a story pole plan that may include netting and flagging but demonstrates alternate flagging proposals where safety concerns compel modifications, with an explanation of the concerns indicated; follow the story pole policy more closely in terms of showing where the story poles will be placed in relation to the building corners; depict the elevator tower on the project with story poles and netting; provide a photo plan that shows a simulation of the netting and story poles over the existing conditions, either via a photograph taken of the existing site or through Google maps; and develop a better site plan that shows the location of the building footprint and the location of the story poles with netting, by the following vote: AYES: Enander, Fligor, Lee Eng, Pepper; NOES: Bruins; ABSTAIN: None; ABSENT: None.

Councilmember Bruins expressed concerns over ambiguity of the direction.

*Mayor Lee Eng recessed the meeting. Mayor Lee Eng resumed the meeting at 9:26 p.m.*

9. Park in-Lieu Fee Update: Adopt Resolution No. 2019-04 modifying Park in-Lieu Fee on the FY 2018/19 Fee Schedule for the City of Los Altos

City Manager Jordan introduced the item.

Public Comment: Los Altos resident Sue Russell provided public comment.

Action: Upon a motion by Vice Mayor Pepper, seconded by Councilmember Enander, the Council adopted Resolution No. 2019-04 modifying Park in-Lieu Fee on the FY 2018/19 Fee Schedule for the City of Los Altos, amending the Park in-Lieu Fees to \$77,500 per Single Family/Detached Residential Unit and \$48,800 per Multiple Family/Attached Residential Unit, effective immediately upon adoption, by the following vote: AYES: Enander, Fligor, Pepper, Lee Eng; NOES: Bruins; ABSTAIN: None; ABSENT: None.

Councilmember Bruins expressed concerns about not having clarity on the City's ability to exempt affordable housing units or how quickly the City can address below market rate units.

Direction: Council directed the City Attorney to further examine what the law allows and prepare a memorandum to the Council that addresses Council's concerns including: can the City use another metric beside "per unit" as the basis to charge the Park in-Lieu fee; can the City adopt a commercial Park in-Lieu fee; can the City impose either a waiver, process, or exemption for below market rate units and senior housing; clarify definition of "reasonably related to the subdivision from which the fees are being acquired".

10. City Council Discussion of SB-50 – Relating to Housing: This item is for Council discussion only

Discussion: The Council discussed components of SB-50 and the bill's potential impact on development in Los Altos. The Council determined that it may be too early for the Council to formally act on the bill, however, they will convey their concerns to their legislators. The Council also determined that the initial discussion is appropriate for the Cities Association Legislative Action Committee.

11. Tentative Council Calendar: Review the Tentative Council Calendar and provide direction on placement of items on the Calendar

Direction: The Council provided direction on the placement of items on the 2019 Tentative Council Calendar.

12. Appointment to the Legislative Action Committee: The Mayor requests the Council's affirmation of the appointment of Councilmember Anita Enander to the Cities Association Legislative Action Committee, with Mayor Lee Eng serving as the alternate

Action: Upon a motion by Vice Mayor Pepper, seconded by Councilmember Bruins, the Council unanimously affirmed the appointment of Councilmember Enander to the Cities Association Legislative Action Committee, with Mayor Lee Eng serving as the alternate.

Direction: Mayor Lee Eng requested that staff bring a report as a consent item at the January 22, 2019 meeting modifying the 2019 Council Assignments to have Councilmember Fligor serve on the Association of Bay Area Governments with Councilmember Enander as the alternate.

### **INFORMATION ONLY ITEM**

- A. City Manager-approved purchases between \$50,000 and \$75,000 for the period October 1 – December 31, 2018 (C. Jordan)

No action taken.

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

Councilmember Enander reported that she attended the Parks and Recreation Commission and Senior Commission and the Los Altos – Los Altos Hills Joint Community Volunteer Awards Committee meetings. Councilmember Enander also reported that she will attend the Community Breakfast session with Assemblymember Berman on Friday, January 11, 2019.

Vice Mayor Pepper reported that she will also attend the Community Breakfast session with Assemblymember Berman on Friday, January 11, 2019.

Councilmember Bruins reported that she attended the MTC Committee, the Caltrain Board of Directors Retreat, and the Cities Association Executive Board meetings.

Councilmember Fligor reported that she attended the Youth Commission meeting.

City Manager Jordan updated the Council on the launch of the City of Los Altos Community Emergency Preparedness Grants Program; the updating of the Zoning map, particularly Village Court; recognized Dennis Young who is being honored by the Town Crier as Los Altan of the year and former Councilmember Mary Prochnow who is being honored by the Chamber of Commerce.

### **ADJOURNMENT**

Mayor Lee Eng adjourned the meeting at 10:51 p.m.

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Lynette Lee Eng, MAYOR

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Jon Maginot, CMC, CITY CLERK