

**MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD ON TUESDAY, JULY 9, 2019,
BEGINNING AT 5:30 P.M. AT LOS ALTOS YOUTH CENTER, 1 NORTH
SAN ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

ESTABLISH QUORUM

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

ABSENT: Councilmember Fligor

ITEM FOR CONSIDERATION

1. Small Cell Nodes: Receive a presentation from the City Attorney's Office on small cell nodes and provide direction to staff as needed

Gail Karish of Best Best & Krieger presented the report.

Public Comment: The following individuals provided public comment: Cindy Russell, Los Altos residents Carey Lai, Gregory Burns, Nicholas French, Bette Houtchens, Jeanine Valadez and Sheri Moody, and Cheryl Mathews.

Direction: Councilmembers directed staff to prepare an urgency ordinance as quickly as possible to address issues raised by members of the Council regarding small cell nodes.

ADJOURNMENT

Mayor Lee Eng adjourned the meeting at 7:20 p.m.

Lynette Lee Eng, MAYOR

Jon Maginot, CMC, CITY CLERK

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD ON TUESDAY, JULY 9, 2019,
BEGINNING AT 7:00 P.M. AT LOS ALTOS YOUTH CENTER, 1 NORTH
SAN ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

ESTABLISH QUORUM

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

ABSENT: Councilmember Fligor

PLEDGE OF ALLEGIANCE

Mayor Lee Eng 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) – One case (831 Arroyo Road two-lot subdivision)
2. Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6(a)
Employee organization: Sanitary Truck Drivers and Helpers Local No. 350
Agency designated representatives: Chris Jordan, City Manager
Christopher Diaz, City Attorney
Sharif Etman, Administrative Services Director
Jen Leal, Human Resources Manager
Lisa Charbonneau, Lead Negotiator

Public Comment: The following individual provided public comment: Los Altos resident Nancy Ellickson.

Mayor Lee Eng announced that no action was taken during the closed session.

CHANGES TO THE ORDER OF THE AGENDA

The Council moved item number 10 to immediately following item number 13.

SPECIAL PRESENTATION

Mayor Lee Eng presented a proclamation to Parks and Recreation Commissioners Stuart Eckmann and Jonathan Weinberg recognizing National Parks and Recreation Month.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individual provided public comment: Los Altos resident Enid Davis.

CONSENT CALENDAR

Public Comment: The following individual provide public comments on item number 8: Los Altos resident Tami Mulcahy.

Action: Upon a motion by Vice Mayor Pepper, seconded by Councilmember Enander, the Council approved the Consent Calendar, with the exception of item number 10, by the following vote: AYES: Bruins, Enander, Lee Eng, Pepper; NOES: None; ABSTAIN: None; ABSENT: Fligor, as follows:

1. Council Minutes: Approved the minutes of the June 25, 2019 study session and regular meeting, as amended.
2. Contract Award: Construction Management Services for Los Altos Community Center Project: Authorized the City Manager to execute an agreement on behalf of the City with NOVA Partners, Inc. in an amount not to exceed \$938,525 to provide Construction Management Services for the Los Altos Community Center.
3. Professional Services Agreement: Fremont Avenue Pavement Rehabilitation Project design: Authorized the City Manager to execute an agreement on behalf of the City with Bellecci & Associates for the design of the Fremont Avenue Pavement Rehabilitation Project – Grant Road to the Easterly City Limit at Stevens Creek Bridge in the amount of \$170,000.
4. Purchase Agreement: Axon Enterprise, Inc.: Authorized the City Manager to execute an agreement on behalf of the City with Axon Enterprise, Inc. in an amount not to exceed \$100,000 for the purchase of new Taser 7 devices.
5. Resolution No. 2019-31: Transportation Development Act Article 3 Funding: Adopt Resolution No. 2019-31 authorizing allocation of the City's Valley Transportation Authority Transportation Development Act Article 3 funds in the amount of \$88,358 to be allocated towards a Complete Streets Study.
6. Resolution No. 2019-32: Crosswalk and Intersection Improvement School Route, Project TS-01042, TS-01045, TS-01046, TS-01047 and TS-01054 acceptance: Adopted Resolution No. 2019-32 accepting completion of the Crosswalk and Intersection Improvement School Route, Project TS-01042, TS-01045, TS-01046, TS-01047 and TS-01054 and authorized the Engineering Services Director to record a Notice of Completion as required by law.
7. Ordinance No. 2019-459: Massage Businesses: Introduced and waived further reading of Ordinance No. 2019-459 amending Chapter 4.20 of the Los Altos Municipal Code regarding Massage Businesses.

8. Resolution No. 2019-33: Green Stormwater Infrastructure Plan: Adopted Resolution No. 2019-33 adopting the Green Stormwater Infrastructure Plan.
9. Green Stormwater Infrastructure Plan: Amended the various existing City plans to include the Green Stormwater Infrastructure Addendum, including, but not limited to, the Collector Traffic Calming Plan, Stormwater Master Plan, Pedestrian Master Plan, Bicycle Transportation Plan, the General Plan and all other existing plans, as applicable.
11. Resolution No. 2019-29: Story Pole Policy Exception Request: 5150 El Camino Real: Adopted Resolution No. 2019-29 denying the Story Pole Policy exception request for 5150 El Camino Real.

PUBLIC HEARING

12. Ordinance No. 2019-458: Density Bonus Regulations: Introduce and waive further reading of Ordinance No. 2019-458 amending Section 14.28.040.F of the Los Altos Municipal Code regarding incentive standards

Community Development Director Biggs presented the report.

Mayor Lee Eng opened the public hearing. There was no one wishing to speak. Mayor Lee Eng closed the public hearing.

Action: Upon a motion by Councilmember Enander, seconded by Vice Mayor Pepper, the Council introduced and waived further reading of Ordinance No. 2019-458 amending Section 14.28.040.F of the Los Altos Municipal Code regarding incentive standards, by the following vote: AYES: Bruins, Enander, Lee Eng, Pepper; NOES: None; ABSTAIN: None; ABSENT: Fligor.

DISCUSSION ITEMS

13. Ad Hoc Committee Regarding the Friends of the Library: Receive the recommendation from the ad hoc committee and consider proceeding as appropriate

Maintenance Services Director Hernandez presented the recommendation from the ad hoc committee.

Public Comments: The following individuals provided public comments: Allan Epstein, Suzanne Epstein, Los Altos resident Larry Lang and Elisabeth Ward, representing the History Museum.

Action: Upon a motion by Councilmember Enander, seconded by Vice Mayor Pepper, the Council approved the ad hoc committee recommendation to place a temporary portable building in the area between the soccer field and the Library and authorized the City Manager to enter into a lease agreement with the Friends of the Library for the land.

10. Resolution No. 2019-17: 389 First Street Design Review: Adopt Resolution No. 2019-17, which will approve Design Review application 17-D-02 and Subdivision application 17-SD-02 per the listed findings and conditions for a new, mixed-use building with ten residential units and 2,100 square feet of office at 385, 387 and 389 First Street

Steve Johnson and Jeff Potts presented the application and revised plans.

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Enander, the Council adopted Resolution No. 2019-17 approving Design Review application 17-D-02 and Subdivision application 17-SD-02 per the listed findings and conditions for a new, mixed-use building with ten residential units and 2,100 square feet of office at 385, 387 and 389 First Street, with the following modification to add Condition 1.E stating that the height of the elevator and stair tower shall be no more than 12 feet above the roof deck so long as it is compliant with the Americans with Disabilities Act (ADA) and if the access cannot be made compliant with the ADA, the applicant shall revise the plans to eliminate the rooftop deck and those revised plans shall be the approved plans, and directed the applicant to work with staff to revise the plans to stagger the tower, implement glass wall for the rooftop deck and to develop side elevations with expansion joints or possibly a paint treatment to diminish the overall massing of the right elevation, by the following vote: AYES: Bruins, Enander, Lee Eng, Pepper; NOES: None; ABSTAIN: None; ABSENT: Fligor.

Mayor Lee Eng recessed the meeting at 9:11 p.m. The meeting resumed at 9:23 p.m.

14. Resolution No. 2019-30: Open Government Policy: Receive the report from the Open Government Standing Committee; adopt Resolution No. 2019-30 amending the Open Government Policy and consider changes to the Council Norms and Procedures and the Commission Handbook

Councilmembers discussed the proposed changes to the Open Government Policy. Councilmember Bruins expressed concerns regarding selecting 1,000 feet as the radius for public notification of projects.

Action: Upon a motion by Councilmember Enander, seconded by Vice Mayor Pepper, the Council adopted Resolution No. 2019-30 amending the Open Government Policy, by the following vote: AYES: Enander, Lee Eng, Pepper; NOES: Bruins; ABSTAIN: None; ABSENT: Fligor.

Councilmembers discussed proposed changes to the Council Norms and Procedures.

Action: Upon a motion by Councilmember Enander, seconded by Vice Mayor Pepper, the Council adopted the Council Norms and Procedures as revised by Council, with direction to Councilmember Bruins to propose additional language regarding appointments to regional boards and to Mayor Lee Eng to propose language regarding the appearance of impropriety, by the following vote: AYES: Bruins, Enander, Lee Eng, Pepper; NOES: None; ABSTAIN: None; ABSENT: Fligor

Councilmembers discussed proposed changes to the Commission Handbook.

Action: Upon a motion by Councilmember Enander, seconded by Vice Mayor Pepper, the Council adopted the Commission Handbook as revised by Council, by the following vote: AYES: Bruins, Enander, Lee Eng, Pepper; NOES: None; ABSTAIN: None; ABSENT: Fligor

15. Suggestions for City Council Community Engagement: Receive the report from the ad hoc committee and provide direction as needed

Vice Mayor Pepper and Councilmember Enander presented the report from the ad hoc committee.

Action: Upon a motion by Mayor Lee Eng, seconded by Councilmember Enander, the Council approved the recommendation of the ad hoc committee to work with staff to pilot five neighborhood meetings in the fall.

16. Discussion of Hiring a Lobbyist: Discuss hiring a lobbyist and determine how the Council would like to proceed

Mayor Lee Eng introduced the item.

Direction: Councilmembers generally directed Councilmember Enander to report back to Council on July 30, 2019 on how to move the process forward.

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

Direction: Councilmembers agreed to provide suggestions on placement of items to staff.

COUNCIL/STAFF REPORT AND DIRECTIONS ON FUTURE AGENDA ITEMS

Councilmember Bruins reported the City had received the Santa Clara County Civil Grand Jury report.

Vice Mayor Pepper reported she attended the June 26, 2019 North County Library Authority Meeting and the History Museum Apricot STEM Fair on June 30, 2019.

ADJOURNMENT

Mayor Lee Eng adjourned the meeting at 11:06 p.m.

Lynette Lee Eng, MAYOR

Jon Maginot, CMC, CITY CLERK