

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD ON TUESDAY, AUGUST 27, 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, Enander and Fligor

ABSENT: None

PLEDGE OF ALLEGIANCE

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

CLOSED SESSION ANNOUNCEMENT

1. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *GoldSilverIsland Homes, LLC v. City of Los Altos, et. al.*
Santa Clara County Superior Court, Case No. 19CV352667

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

CHANGES TO THE ORDER OF THE AGENDA

Action: Upon a motion by Councilmember Enander, seconded by Councilmember Bruins, the Council unanimously continued item number 11 to September 10, 2019.

SPECIAL PRESENTATION

1. Mayor Lee Eng presented a proclamation recognizing Bluestone Café.
2. Rachel Shaw, of Shaw HR Consulting, Inc., presented to the Council regarding the Americans with Disabilities Act (ADA).

Public Comments: The following individuals provided public comments: Los Altos residents Roberta Phillips, Freddie Wheeler and Al Rooney.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided public comment: Los Altos residents Laura Teksler (representing the Environmental Commission), Pierre Bedard, Nancy Martin, Myra Orta, Ronit Bodner and Sue Russell, and Cupertino Mayor Steven Scharf.

CONSENT CALENDAR

Councilmember Enander pulled item number 5. Councilmember Fligor pulled item number 6.

Action: Upon a motion by Councilmember Bruins, seconded by Vice Mayor Pepper, the Council unanimously approved the Consent Calendar, with the exception of items number 5 and 6, as follows:

1. Council Minutes: Approved the minutes of the July 9, 2019 study session and regular meeting, as amended.
2. Resolution No. 2019-37: City Hall Restroom and Lobby Renovation, Project CF-01003 acceptance: Adopted Resolution No. 2019-37 accepting completion of the City Hall Restroom and Lobby Renovation, Project CF-01003 and authorized the Engineering Services Director to record a Notice of Completion as required by law.
3. Resolution No. 2019-38: On-call Sanitary Sewer Spot Repairs and CCTV Inspection Services acceptance: Adopted Resolution No. 2019-38 accepting completion of the On-call Sanitary Sewer Spot Repairs and CCTV Inspection Services and authorized the Engineering Services Director to record a Notice of Completion as required by law.
4. Ordinance No. 2019-459: Massage Businesses: Adopted Ordinance No. 2019-459 amending Chapter 4.20 of the Los Altos Municipal Code regarding Massage Businesses.
5. Ordinance No. 2019-458: Density Bonus Regulations: Adopt Ordinance No. 2019-458 amending Section 14.28.040.F of the Los Altos Municipal Code regarding incentive standards – *Pulled for Discussion (see page 4).*
6. Response to the Santa Clara County Civil Grand Jury Report: *Inquiry into the Governance of the Valley Transportation Authority*: Approve the draft response to the Santa Clara County Civil Grand Jury Report: *Inquiry into the Governance of the Valley Transportation Authority* – *Pulled for Discussion (see page 4).*
7. Senator Feinstein/Congresswoman Eshoo Bills Regarding FCC Rulemaking: Approved sending a letter to both Senator Feinstein and Representative Eshoo supporting their bills regarding FCC rulemaking, with modifications to the letter to encourage more studies to be conducted.
8. Resolution No. 2019-39: 2019/20 Salary Schedule: Adopted Resolution No. 2019-39 approving the Fiscal Year 2019/20 Salary Schedule to comply with California Public Employees' Retirement System (CALPERS) statutory and regulatory requirements for compensation earnable and publicly available pay schedules.

ITEMS PULLED FROM CONSENT CALENDAR

5. Ordinance No. 2019-458: Density Bonus Regulations: Adopt Ordinance No. 2019-458 amending Section 14.28.040.F of the Los Altos Municipal Code regarding incentive standards

Councilmembers requested staff draft language within the ordinance to clarify the intent of the amendments. The item was continued to later in the meeting.

Mayor Lee Eng recessed the meeting at 8:56 p.m. The meeting resumed at 9:07 p.m.

PUBLIC HEARING

9. Ordinance No. 2019-461: Zoning Code Text Amendment to the R3-4.5 Multiple-Family District: Introduce and waive further reading of Ordinance No. 2019-461 to amend Chapter 14.16 of the Los Altos Municipal Code regarding the R3-4.5 Multiple-Family District

Senior Planner Golden presented the report.

Mayor Lee Eng opened the public hearing.

Paul Lovoi presented the application.

Public Comments: The following individuals presented public comments: Los Altos residents Ronit Bodner (representing the Planning Commission), Teri Wiss and Roberta Phillips.

Paul Lovoi presented the rebuttal.

Mayor Lee Eng closed the public hearing.

Action: Upon a motion by Vice Mayor Pepper, seconded by Mayor Lee Eng, the Council directed staff to amend the ordinance with the following changes: 1) any parcel adjoining an R-1 District be limited to single-story; 2) all rear setbacks adjoining an R-1 District have the same setbacks as the R-1 District; 3) the size of the two units for each parcel be proportional to each other; and 4) to use a 35% FAR for each parcel and 40% lot coverage for parcels with single-story buildings and 35% lot coverage for parcels with two-story buildings, by the following vote: AYES: Enander, Fligor, Lee Eng, Pepper; NOES: Bruins; ABSTAIN: None; ABSENT: None.

Mayor Lee Eng recessed the meeting at 11:00 p.m. The meeting resumed at 11:05 p.m.

10. Ordinance No. 2019-462: Commercial Retail Sales District amendments: Introduce and waive further reading of Ordinance No. 2019-462 amending the list of permitted and conditional uses in the CRS (Commercial Retail Sales) Zone District

Community Development Director Biggs presented the report.

Mayor Lee Eng opened the public hearing.

Public Comments: The following individuals presented public comments: Los Altos residents Sue Russell, David Rock, Jennifer Springer, Abigail Ahrens and Ronit Bodner (representing the Planning Commission), Kim Mosley (representing the Chamber of Commerce), Kim Cranston (representing Los Altos Property Owners Downtown), Scott Hunter (representing Los Altos Village Association), and Joseph Yoon.

Mayor Lee Eng closed the public hearing.

Action: Motion made by Vice Mayor Pepper, seconded by Councilmember Fligor, to introduce and waive further reading of Ordinance No. 2019-462 amending the list of permitted and conditional uses in the CRS (Commercial Retail Sales) Zone District.

Councilmember Enander offered an amendment, which was accepted, to modify Section 14.48.030.B to include veterinary clinics. Councilmember Bruins offered an amendment, which was accepted, to move “Cocktail lounges” from a conditional use to a permitted use. The motion, as amended, passed by the following vote: AYES Enander, Fligor, Lee Eng, Pepper; NOES: Bruins; ABSTAIN: None; ABSENT: None.

ITEMS PULLED FROM CONSENT CALENDAR CONTINUED

5. Ordinance No. 2019-458: Density Bonus Regulations: Adopt Ordinance No. 2019-458 amending Section 14.28.040.F of the Los Altos Municipal Code regarding incentive standards (Continued)

Action: Upon a motion by Councilmember Bruins, seconded by Mayor Lee Eng, the Council unanimously 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, as amended to have Section 14.28.040.F read “The City Council has determined that the On-Menu Incentives would not have a specific, adverse impact. Each type of On-Menu Incentive listed below shall only be applied once to a particular project. If an applicant requests to apply one type of On-Menu Incentive more than once to a particular project, then it shall be treated as an Off-Menu Incentive request.”

6. Response to the Santa Clara County Civil Grand Jury Report: *Inquiry into the Governance of the Valley Transportation Authority*: Approve the draft response to the Santa Clara County Civil Grand Jury Report: *Inquiry into the Governance of the Valley Transportation Authority*

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Enander, the Council unanimously continued item number 6 to the September 10, 2019 meeting.

DISCUSSION ITEMS

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

Continued to September 10, 2019.

12. Federal and State Legislative matters: Discuss potential future federal or state legislation and provide direction as appropriate

Councilmember Enander introduced the item.

Action: Upon a motion by Councilmember Enander, seconded by Mayor Lee Eng, the Council unanimously authorized the Mayor to send the letters previously sent regarding State Legislative bills to additional recipients (Councilmember Bruins opposed sending letters regarding AB 1487).

ADJOURNMENT TO CLOSED SESSION

The Council adjourned to Closed Session.

13. Conference with Labor Negotiators

Pursuant to Government Code Section 54957.6

Unrepresented Employee: City Manager

Agency designated representatives: Jeannie Bruins, Councilmember
Anita Enander, Councilmember

No action was taken during the Closed Session.

ADJOURNMENT

Mayor Lee Eng adjourned the meeting at 1:05 a.m.

Lynette Lee Eng, MAYOR

Jon Maginot, CMC, CITY CLERK