

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD ON TUESDAY, APRIL 14, 2020,
BEGINNING AT 7:00 P.M. HELD VIA VIDEO/TELECONFERENCE**

ESTABLISH QUORUM

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

ABSENT: None

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

An email from Terri Couture was read into the record.

CONSENT CALENDAR

Upon a motion by Vice Mayor Fligor, seconded by Councilmember Lee Eng, the Council unanimously approved the Consent Calendar, as follows:

1. Council Minutes: Approved the minutes of the March 10, 2020 Regular Meeting and the March 17, 2020 Special Meeting, as revised to indicate that Mayor Pepper and Vice Mayor Fligor participated by video conference.

PUBLIC HEARING

2. Modification (MOD 20-001) Request for a waiver for an approved multi-family residential project at 4846/4856 El Camino Real: Adopt Resolution No. 2020-09 denying a request for additional waivers for a development project (modification) MOD 20-0001 at 4845/4856 El Camino Real (G. Periscone)

Planning Services Manager Periscone presented the report.

Mircea Voskerician and Ralph Strauss presented the application.

Public Comment: The following individuals provided public comments: Eric Steinle and Pierre Bedard.

The applicant provided a rebuttal.

Action: Upon a motion by Councilmember Enander, seconded by Councilmember Lee Eng, the Council adopted Resolution No. 2020-09 denying a request for additional waivers for a development project (modification) MOD 20-0001 at 4845/4856 El Camino Real, as modified by the City Attorney to remove the word “financially” from the 13th Whereas, by the following vote: AYES: Enander, Lee Eng and Pepper; NOES: Bruins and Fligor; ABSTAIN: None; ABSENT: None.

3. Resolution No. 2020-10: Story Pole Policy Exception Request for 4350 El Camino Real Development: Adopt Resolution No. 2020-10 to grant or deny an exception from the City's Story Pole Policy to the proposed development at 4350 El Camino Real (S. Gallegos)

Mayor Pepper disclosed ex parte communications with Bart Hechtman, attorney for the applicant.

Associate Planner Gallegos presented the report.

Angie Galatolo and Bart Hechtman presented the application.

Public Comment: The following individuals provided public comments: Eric Steinle and Pierre Bedard.

Angie Galatolo provided the rebuttal.

Mayor Pepper recessed the meeting at 9:20 p.m. The meeting resumed at 9:28 p.m.

Action: Upon a motion by Vice Mayor Fligor, seconded by Councilmember Bruins, the Council unanimously continued consideration of the story pole exception request to a future date and appointed Councilmembers Enander and Lee Eng to a subcommittee to work with staff and the applicant on modifications to the exception request to best meet the intentions of the story pole policy and Council directions.

DISCUSSION ITEMS

4. Resolution No. 2020-04: North County Library Authority Joint Powers Agreement (JPA) Amendment: Adopt Resolution No. 2020-04 amending the North County Library Authority Joint Powers Agreement

City Manager Jordan presented the report.

Direction: The City Council directed the representatives to the North County Library Authority (NCLA) Board (Mayor Pepper and Vice Mayor Fligor) to propose changes to the agreement amendment based on Council feedback to clarify the language in the agreement.

5. Emergency Measures for Addressing COVID-19: Receive an update from the City Manager on measures taken thus far to address the spread of COVID-19

City Manager Jordan presented the report.

Public Comment: The following individuals provided public comment: Ruth Darlene, Dennis Young, Karen Scussel, Sue Russell, Roberta Phillips and Tom Myers.

Direction: The City Council directed staff to provide funds for emergency relief to Community Services Agency of Mountain View, Los Altos and Los Altos Hills, WomenSV and CHAC and to include funds in the mid-year budget review for potential small business relief.

COUNCIL/STAFF REPORT AND DIRECTIONS ON FUTURE AGENDA ITEMS

Councilmember Enander reported that she and Councilmember Bruins are working with a group to ask the Governor to put a moratorium on State housing legislation.

Mayor Pepper reminded everyone to fill out the 2020 U.S. Census forms.

City Manager Jordan thanked City staff for the work being done under very stressful circumstances.

ADJOURNMENT

Mayor Pepper adjourned the meeting at 11:52 P.M.

Janis C. Pepper, MAYOR

Jon Maginot, CMC, CITY CLERK

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD ON TUESDAY, APRIL 28, 2020,
BEGINNING AT 7:00 P.M. HELD VIA VIDEO/TELECONFERENCE**

ESTABLISH QUORUM

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

ABSENT: None

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 individuals provided public comments: Cheryl Weiden, Jenny Green and Connie Miller.

CONSENT CALENDAR

Upon a motion by Vice Mayor Fligor, seconded by Councilmember Bruins, the Council unanimously approved the Consent Calendar, as follows:

1. Council Minutes: Approved the minutes of the October 29, 2019 Special Meeting and March 24, 2020 Regular Meeting, as revised to reflect that as part of agenda item 7 Council directed staff to ensure that proper notice be given to residents and to provide access to the County documents that residents would need to complete in regards to evictions during the COVID-19 pandemic.

DISCUSSION ITEMS

2. Resolution No. 2020-05: Fiscal Year 2019/20 Mid-year Financial Update: Adopt Resolution No. 2020-05, approving the Fiscal Year 2019/20 Mid-year Financial Update, budget adjustments and updated Salary Schedule, including assignment of fund balance as recommended

Administrative Services Director Etman presented the report.

Public Comment: An email from Roberta Phillips was read into the record. The following individual provided public comments: Roberta Phillips.

Action: Motion made by Councilmember Enander, seconded by Councilmember Lee Eng, to adopt Resolution No. 2020-05, approving the Fiscal Year 2019/20 Mid-year Financial Update, budget adjustments and updated Salary Schedule, including assignment of 2018/19 fund balance as recommended.

Councilmember Bruins offered an amendment, which was not accepted, to not assign \$385,000 to the Operating Reserve, but to leave it as unassigned so that Council has discretion on how it is spent.

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

3. COVID-19 Emergency: Preliminary Fiscal Impact and Financial Relief Programs: Discuss potential COVID-19 financial relief programs and provide direction as needed

Administrative Services Director Etman presented the report on COVID-19 Financial Impact on the City of Los Altos.

Mayor Pepper recessed the meeting at 9:14 p.m. The meeting resumed at 9:22 p.m.

Public Comment: The following individuals provided public comment: Tom Myers, Esperanza McConn, Marsha Deslauriers, Pierre Bedard, Kim Mosley, Adin Miller, Scott Spielman and Ruth Darlene.

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Lee Eng, the Council unanimously adopted Resolution No. 2020-10 ratifying grants to WomenSV (\$40,000) and to Counseling and Mental Health Services of Mountain View (CHAC) (\$20,000) for assistance during the COVID-19 emergency, with direction that the funds come from the current Fiscal Year's unfunded balance.

Action: Upon a motion by Mayor Pepper, seconded by Vice Mayor Fligor, the Council unanimously adopted Resolution No. 2020-11 authorizing a grant of \$75,000 to Community Services Agency of Mountain View and Los Altos (CSA) for assistance during the COVID-19 emergency, with \$35,000 restricted to use for Los Altos residents and \$40,000 unrestricted.

Action: Motion made by Mayor Pepper, seconded by Vice Mayor Fligor, to adopt Resolution No. 2020-12 creating the Small Business Relief Program and authorizing \$250,000 for this program.

Vice Mayor Fligor offered an amendment, which was accepted, to allocate \$250,000 to the Small Business Relief Program and direct staff to work with the Chamber of Commerce and Los Altos Community Foundation on what the program will look like, including removing the first-come, first-served criteria.

The motion, as amended, passed unanimously.

City Manager Jordan presented the report on City emergency measures for addressing COVID-19.

COUNCIL/STAFF REPORT AND DIRECTIONS ON FUTURE AGENDA ITEMS

Councilmember Enander reported that she and Councilmember Bruins will provide an item for Council consideration at the May 12, 2020 Council meeting regarding housing legislation.

Councilmember Bruins reported she attended the Financial Commission meeting on April 20, 2020.

Mayor Pepper reminded everyone to fill out the 2020 U.S. Census forms.

City Manager Jordan announced a webinar regarding the REACH Codes on April 29, 2020 and a blood drive on May 1, 2020. He also reported that the City's new Financial Software had been implemented.

ADJOURNMENT

Mayor Pepper adjourned the meeting at 12:00 A.M.

Janis C. Pepper, MAYOR

Jon Maginot, CMC, CITY CLERK

**MINUTES OF THE STUDY SESSION OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD ON TUESDAY, APRIL 14, 2020,
BEGINNING AT 5:45 P.M. HELD VIA VIDEO/TELECONFERENCE**

ESTABLISH QUORUM

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

ABSENT: None

ITEM FOR CONSIDERATION

1. 2020 State Housing Law Update: Receive a presentation from the City Attorney's Office and Community Development Department on new State Housing Laws that took effect at the start of 2020

City Attorney Houston presented the report.

Public Comments: The following individual provided public comments: Pierre Bedard.

No direction/action was provided/taken.

ADJOURNMENT

Mayor Pepper adjourned the meeting at 6:46 P.M.

Janis C. Pepper, MAYOR

Jon Maginot, CMC, CITY CLERK

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD ON TUESDAY, MAY 12, 2020,
BEGINNING AT 7:00 P.M. HELD VIA VIDEO/TELECONFERENCE**

MEETING CALLED TO ORDER

At 7:28 p.m., Mayor Pepper called the meeting to order.

ESTABLISH QUORUM

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

ABSENT: None

CLOSED SESSION REPORT

1. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *California Renters Legal Advocacy and Education Fund, San Francisco Bay Area Renters Federation, Victoria Fierce, and Sonja Trauss v. City of Los Altos, et al.*
Superior Court of the State of California, County of Santa Clara Case No. 19CV350422
2. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *40 Main Street Offices LLC v. City of Los Altos, et al.*
Superior Court of the State of California, County of Santa Clara Case No. 19CV349845
3. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *Satish Ramachandran v. City of Los Altos, et al.*
United States District Court, Northern District of California
Case No. 5:18-cv-01223-HRL
4. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *New Cingular Wireless PCS, LLC d/b/b AT&T Mobility v. City of Los Altos;*
United States District Court, Northern District of California
Case No. 5:20-CV-294-SVK
5. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *GTE Mobilnet of California Limited Partnership, a California limited partnership d/b/a*
VERIZON WIRELESS v. City of Los Altos;
United States District Court, Northern District of California Case No. 5:20-CV-386-CV

Mayor Pepper announced that there was nothing to report from the closed session.

CHANGES TO THE ORDER OF THE AGENDA

Council Member Fligor moved to reorder the agenda to consider Agenda Item # 15 prior to Agenda Item #14. The motion was seconded by Council Member Bruins and the motion passed with the following roll call vote: 5-0

AYES: Council Members Bruins, Enander, Lee-Eng, Vice Mayor Fligor and Mayor Pepper
NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided public comment: Roberta Philips, Scott Spielman, Freddie Wheeler, Cheryl Weidne, Sheridan Foster, Hayden Boone, Mallory Weisfeld, Aarthi Venkatraman, Connie Miller and Addy Kopp.

Council Member Bruins read a letter from Lloyd Davies into the record.

CONSENT CALENDAR

Council Member Lee Eng removed Agenda Items 7, 8 and 9 from the Consent Calendar.

1. Council Minutes: Approve the minutes of the November 12, 2019 Regular Meeting
2. Resolution No. 2020-13: Solid Waste Rate adjustment: Adopt Resolution No. 2020-13, authorizing the increase of Solid Waste Collection Rates by 8.48% effective July 1, 2020 and approve correction to the May 28, 2019 staff report attachment to replace the original attachment (dated 4/29/2019) with Attachment 3 of the May 12, 2020 staff report (dated 5/10/2019)
3. Construction Contract Award: Annual Street Slurry Seal, Project TS-01004: Award the Base Bid and Add Alternate No. 1 for the Annual Street Slurry Seal, Project TS-01004 to Bond Blacktop, Inc. and authorize the City Manager to execute a contract in the amount of \$234,858.60 and up to 15% contingency amount of \$35,229 on behalf of the City
4. Construction Contract Award: Annual Street Resurfacing, Project TS-01001: Award the Base Bid and Add Alternate No. 1 for the Annual Street Resurfacing, Project TS-01001 to O'Grady Paving, Inc. and authorize the City Manager to execute a contract in the amount of \$1,082,235.50 and up to a 15% contingency on behalf of the City
5. Professional Services Agreement: Construction Inspection Services for CIP Projects TS-01001 and TS-01004: Authorize the City Manager to execute a professional services agreement between the City of Los Altos and 4LEAF, Inc. in an amount not to exceed \$89,687 for inspection services for the Street Resurfacing Project and Street Slurry Seal Project

6. Resolution No. 2020-14: Senate Bill 1 Road Repair and Accountability Act: Adopt Resolution No. 2020-14 to incorporate a list of projects planned for funding with the Road Maintenance and Rehabilitation Account revenues created by Senate Bill 1 in Fiscal Year 2020-21

10. Resolution No. 2020-18: Denouncing xenophobia and anti-Asian sentiment arising due to fears of the COVID-10 Pandemic: Adopt Resolution No. 2020-18 denouncing xenophobia and anti-Asian sentiment arising due to fears of the COVID-19 pandemic and affirming the City's commitment to the well-being and safety of Asian-Pacific American communities

Council Member Bruins moved to approve Consent Calendar Items 1-6 and 10 with an amendment to Item 6, Resolution No. 2020-14, to include Fremont Avenue and Diamond Court to the SB 1 list. The motion was seconded by Vice Mayor Fligor and the motion passed (5-0) with the following roll call vote:

AYES: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor and Mayor Pepper
NOES: None
ABSENT: None
ABSTAIN: None

DISCUSSION ITEMS

11 Professional Services Agreement: Complete Streets Master Plan: Authorize the City Manager to execute an agreement on behalf of the City of Los Altos with Alta Planning + Design in an amount not to exceed \$165,340 for the development of a Complete Streets Master Plan

Jim Sandoval, Engineering Services Director, provided a staff report and answered questions from the Council as did representatives from Alta Planning + Design.

The following individuals provided public comment: Roberta Phillips and Nadim Maluf

Councilmember Bruins moved to Authorize the City Manager to execute an agreement on behalf of the City of Los Altos with Alta Planning + Design in an amount not to exceed \$165,340 for the development of a Complete Streets Master Plan. The motion was seconded by Vice Mayor Fligor and the motion passed with the following 5-0 vote:

AYES: Council Members Bruins, Enander, Lee-Eng, Vice Mayor Fligor and Mayor Pepper
NOES: None
ABSENT: None
ABSTAIN: None

12 Level of Service to Vehicles Miles Traveled Policy: Receive a presentation regarding Level of Service (LOS) to Vehicles Miles Traveled (VMT) and provide direction as necessary

Guido F. Persicone, Planning Services Manager, introduced Michelle Hunt of Hexagon Transportation Consultants who provided an overview of Vehicle Miles Traveled as the evaluation measure for transportation impacts and answered questions from the Council.

Jon Biggs, Community Development Director also answered questions from the Council.

The following individual provided public comment: Nadim Maluf

At 9:33 p.m., Mayor Pepper called for a brief recess. The meeting was reconvened at 9:40 p.m.

13 Emergency Measures for Addressing COVID-19: Receive an update from the City Manager and provide direction

City Manager Jordan provided an update and answered questions from the Council.

Donna Legge, Recreation and Community Services Director, answered questions from the Council relative to virtual recreation programs.

Andy Galea, Police Chief, addressed Council questions relative to enforcement of COVID 19 health precautions.

15. Resolution No. 2020-19: Process And Eligibility Criteria For The Small Business Relief Assistance Program: Adopt Resolution No.2020-19 adopting the process and eligibility criteria for the Small Business Relief Assistance Program

Anthony Carnesecca, Economic Development Coordinator, provided the staff report and answered questions from the Council.

Council discussion commenced relative to the criteria and input from various Member of the Los Altos business community.

Following discussion members of the public were invited to comment.

Kim Mosley, Los Altos Chamber of Commerce, commented on the matter and answered questions from the Council and reported on the outreach and fund-raising effort.

Following Council discussion, Mayor Pepper moved to adopt Resolution No.2020-19 adopting the process and eligibility criteria for the Small Business Relief Assistance Program with direction to staff to look at the following eligibility criteria:

- Businesses must have been operation in the City of Los Altos for at least one year as of March 1, 2020.
- Businesses must have six or more months left on a lease for a commercial storefront in the City of Los Altos
- Address the requirement of paying pay sales tax to the City of Los Altos as it applies to those businesses that provide personal services and do not pay sales tax.

- Consider the grant differential between essential and non-essential businesses
- Clarify Chains versus franchise businesses

Further direction was given to proceed with opening the application period for a minimum of one week prior to closing the application period upon reaching or approaching funding in the amount of \$500,000 and to hold a virtual public lottery to award the grants.

The motion was seconded by Vice Mayor Fligor and the motion passed 5-0 with the following roll call vote:

AYES: Council Members Bruins, Enander, Lee-Eng, Vice Mayor Fligor and Mayor Pepper
NOES: None
ABSENT: None
ABSTAIN: None

At 11:07 p.m., Mayor Pepper announced that the remainder of the Agenda Items (listed below) would be continue to a future City Council meeting:

- 14 Legislative Update: Discuss pending legislation and direct staff accordingly
7. Resolution No. 2020-15: Side Letter Agreement between City and Los Altos Municipal Employee Association: Adopt Resolution No. 2020-15 and the terms outlined in the Side Letter Agreement between City of Los Altos & Los Altos Municipal Employees Association, which includes a six-month extension of their MOU set to expire on June 30, 2020
8. Resolution No. 2020-16: Side Letter Agreement between City and Los Altos Police Officers Association: Adopt Resolution No. 2020-16 and the terms outlined in the Side Letter Agreement between City of Los Altos & Los Altos Police Officers Association, which includes a six-month extension of their MOU set to expire on June 30, 2020
9. Resolution No. 2020-17: Pay adjustments for confidential employees and deferring pay and benefit adjustments for non-represented employees: Adopt Resolution No. 2020-17 providing pay adjustments for confidential employees and deferring pay and benefit adjustments for all other non-represented employees

COUNCIL/STAFF REPORT AND DIRECTIONS ON FUTURE AGENDA ITEMS

Vice Mayor Fligor requested that staff expedite Council consideration of the Reach Codes.

Council Member Lee Eng expressed interest in Council consideration of supporting outreach to the Governor for rental relief. Council Member Lee Eng also requested expedition of Council consideration of the Hillview Park rezoning.

Council Members Bruins and Enander requested that their memo and proposed Legislative letters be placed on the next City Council agenda.

ADJOURNMENT

Mayor Pepper adjourned the meeting at 11:13 p.m.

Janis C. Pepper, MAYOR

Andrea M. Chelemengos MMC, CITY CLERK

**MINUTES OF THE STUDY SESSION MEETING OF THE CITY
COUNCIL OF THE CITY OF LOS ALTOS, HELD ON TUESDAY, MAY
12, 2020, BEGINNING AT 6:15 P.M.**

ESTABLISH QUORUM

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

ABSENT: None

ITEM FOR CONSIDERATION

1. Affordable Housing Unit Waiting List Process (Below Market Rate Units “BMR”): Receive a report from Palo Alto Housing on the City’s Affordable Housing Unit Waiting List Process and provide feedback and direction (J. Biggs)

Jon Biggs, Community Development Director, introduced Georgina Mascarenhas representing Palo Alto Housing.

Ms. Mascarenhas made a presentation regarding administration of an affordable housing unit waiting list for the City and responded to Council questions.

Mayor Pepper call for public comment. There was no public comment received.

Council Members provided feedback and directed staff to work with Palo Alto Housing toward development of a hybrid process or other options that would address concerns raised by the Council and to be brought back for consideration by the Council at a future meeting.

ADJOURNMENT

Mayor Pepper adjourned the meeting at 7:15 p.m.

Janis C. Pepper, MAYOR

Andrea M. Chelemengos, CITY CLERK