

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD ON TUESDAY, DECEMBER 10, 2019,
BEGINNING AT 7:00 P.M. AT LOS ALTOS YOUTH CENTER, 1 NORTH
SAN ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

ESTABLISH QUORUM

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

ABSENT: None

CLOSED SESSION

1. Public Employment - Title: City Manager
Pursuant to Government Code Section 54957

Mayor Pepper reported the Council would be taking action on the Closed Session as part of agenda item number 10.

ANNOUNCEMENT FOR CLOSED SESSION HELD PREVIOUSLY

1. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *Loyola Corners Estates, LLC; Gregg Bunker; Burke Kaltenberger v. City of Los Altos*
Superior Court of the State of California, County of Santa Clara Case No. 115CV287198
2. Conference with Real Property Negotiators
Pursuant to Government Code Section 54956.8
Location of Property: 330 Distel Circle (Mid-Peninsula Regional Open Space District office)
Agency Negotiator: Chris Jordan, City Manager
Christopher Diaz, City Attorney
Under Negotiation: Price and terms of payment for the purchase, sale, exchange or lease

Mayor Pepper reported that in the case of Loyola Corners Estates, LLC, Gregg Bunker, Burke Kaltenberger v. City of Los Altos, the parties in this matter had reached the following settlement: 1) the disposal of the remaining issue in litigation which was inverse condemnation cause of action and 2) the City will purchase the property. The parties are in process of negotiating the terms of the purchase which will return to the Council for approval at a future public meeting.

PLEDGE OF ALLEGIANCE

Mayor Pepper led the Pledge of Allegiance.

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 provide public comments: Melissa Sobel, Jacob Sobel, Emily Walnes, Jamiie Walnes, Gail Ostendorf, David Han, Dennis Whittaker, Gary Hedden and Bill Bassett.

CONSENT CALENDAR

City Attorney Diaz announced that Councilmember Lee Eng would be recusing herself from item number 2.

Vice Mayor Fligor offered an amendment to item number 4 to change her assignment to the Council Legislation Subcommittee to Councilmember Bruins. Councilmember Bruins offered an amendment to item number 4 to strike the word alternate from her assignment to SVRIA.

Upon a motion by Councilmember Enander, seconded by Councilmember Bruins, the Council unanimously approved the Consent Calendar, with Councilmember Lee Eng recused from item number 2, as follows:

1. Building Code Amendments: Adopted Ordinance No. 2019-464 to repeal and reenact the Building and Construction Code, Title 12 of the Los Altos Municipal Code, adopting, by reference the 2019 California Code of Regulations, Title 24, with added local amendments.
2. General Plan Amendment (Park designation): Adopted Ordinance No 2019-468 amending Chapter 14.88 of Title 14 pertaining to the rezoning of Grant Park, Redwood Grove, Shoup Park, , and the Fallen Leaf Lane bike path from R1-10 (Single-Family Residential) to PCF (Public and Community Facilities) and “Park”/”Other Open Space” General Plan land use designation, subject to the listed findings.
3. 2020 City Council meeting schedule: Approved the 2020 City Council meeting schedule.
4. 2020 City Council assignments: Accepted the Mayor’s appointments to local and regional boards and Council Committees for 2020, as revised.
5. Quarterly Investment Portfolio Report – Quarter Ended June 30, 2019: Approved the Investment Portfolio Report through June 30, 2019.
6. Quarterly Investment Portfolio Report – Quarter Ended September 30, 2019: Approved the Investment Portfolio Report through September 30, 2019.
7. Proposed Two-Story Mixed-Use Building at 999 Fremont Ave: Continued the hearing to the January 14, 2020 Regular City Council Meeting.
8. R3-4.5 Zoning amendments: Continued the Public Hearing to the January 14, 2020 Regular City Council Meeting.

ITEMS FOR DISCUSSION/ACTION

9. Proposed 196-Unit Multiple-Family Development at 5150 El Camino Real: Adopt Resolution No. 2019-43 which: 1) adopts the Initial Study, Mitigated Negative Declaration and Mitigation

Monitoring and Reporting Program; and 2) approves Design Review application 18-D-05, Use Permit application 18-UP-07 and Subdivision application 18-SD-03 for a new 196-unit multiple-family development at 5150 El Camino Real

Mayor Pepper disclosed ex parte communication with the developer, City staff, representatives from Palo Alto Housing, Mila Zelkha of Manzanita Works and Vice Mayor Fligor to discuss the possibility of increasing the number of affordable units in the project and that the developer agreed to include a condition of approval that the City and the developer will work in good faith to find funding for the project to get to a total of 86 affordable units.

Associate Planner Gallegos presented the report.

Erik Hayden, representing the applicant, presented the application.

Public Comment: The following individuals provided public comments: JP Lu, Scott Spielman, Roberta Phillips, Edith Huang, Ann Paulson, Phan Troung, Freddie Wheeler, Pierre Bedard, Eric Steinle, Janikke Klein, Michele Coldiron, Barbara Harriman, Marianne Hawkes, Sue Russell, Al Rooney and Eddie Truong.

The applicant provided a rebuttal.

Mayor Pepper recessed the meeting at 9:10 p.m. The meeting resumed at 9:17 p.m.

Action: Upon a motion by Mayor Pepper, seconded by Councilmember Lee Eng, the Council unanimously adopted Resolution No. 2019-43, with the following modifications to the conditions: 1) Regarding trees - trees will be planted at a two-year height staggered within a five to ten foot setback along the rear property line with evergreens along the rear property and oaks planted along the 5100 El Camino Real side, trees will be planted at the beginning of construction, the developer will preserve trees along El Camino Real as possible, the developer will work with neighbors to plant trees on the neighbors' properties as requested, the developer will maintain trees during construction and the HOA will maintain trees along the property and replace trees with similar size and type trees; 2) the developer will work with neighbors along the rear property to come to an agreement regarding installation of a 10- or 12-foot fence along the rear property; 3) the design of the fifth floor will be changed to include mansard roof; 4) the developer will work with the City to create a memorandum of understanding with the City by January 31, 2020 to create a parkland agreement in which the developer will develop 745 Distel Circle as a park built to the City's specifications and then deed the property to the City and pay the balance of required Park in-Lieu Fees; 5) the project will post a phone number to call with complaints during construction and will keep neighbors informed on the progress of construction; 6) Regarding construction timing – once a construction phase has begun, construction will progress continuously, the townhomes will be the first phase of construction and if only half of the underground parking is constructed, the other half will be activated space within 12 months of issuance of certificate of occupancy for the first building; 7) no construction parking will be allowed on residential streets; 8) the project will include 16 very low income units and 12 moderate income units; 9) the developer will enter into a memorandum of understanding with a City-approved affordable housing developer to discuss funding to provide 58 additional affordable units; 10) the development will provide the required number of parking space and the Findings will be revised to

remove that one-half parking space is required per bedroom; 11) Condition 23 will be changed to reflect that affordable units shall continue in perpetuity; and 12) Condition 20 is eliminated.

10. Contract Amendment: City Manager Employment Agreement: Approve an amendment to the City Manager Employment Agreement

Mayor Pepper introduced the item.

Action: Upon a motion by Councilmember Enander, seconded by Councilmember Bruins, the Council approved an amendment to the City Manager Employment Agreement, by the following vote: AYES: Bruins, Enander, Fligor and Pepper; NOES: None; ABSTAIN: Lee Eng; ABSENT: None.

COUNCIL/STAFF REPORT AND DIRECTIONS ON FUTURE AGENDA ITEMS

Future agenda items

Councilmembers Lee Eng and Bruins requested an update on discussions with Friends of the Library for the December 17, 2019 Council meeting.

Councilmembers Lee Eng and Enander requested an agenda item to discuss installation of See-Me Flags.

Councilmembers Lee Eng and Enander and Vice Mayor Fligor requested an agenda item to discuss lessons learned from the 5150 El Camino Real development project.

Mayor Pepper reported on the community engagement meeting held on December 9, 2019.

Action: Upon a motion by Councilmember Enander, seconded by Mayor Pepper, the Council unanimously approved reconsideration of item number 4.

RECONSIDERATION OF AGENDA ITEM

4. 2020 City Council assignments: Accept the Mayor's appointments to local and regional boards and Council Committees for 2020

Action: Upon a motion by Councilmember Enander, seconded by Councilmember Lee Eng, the Council unanimously accepted the Mayor's appointments to local and regional boards and Council Committees for 2020, as revised during previous Council consideration, with the inclusion of the Suffrage Centennial subcommittee consisting of Mayor Pepper and Vice Mayor Fligor.

ADJOURNMENT

Mayor Pepper adjourned the meeting at 11:31 P.M.

Janis C. Pepper, MAYOR

Dennis Hawkins, 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, which shall remain open for at least one week, for a minimum of one week prior to closing the application period which shall be closed upon reaching or approaching funding in the amount of \$500,000, upon reaching or approaching funding in the amount of \$500,000 and to hold a virtual public lottery to award the grants, and that the award of the grants be by public virtual lottery.

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 SPECIAL MEETING OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD AT 6:30 P.M., WEDNESDAY,
MAY 20, 2020
Via Telephonically/Teleconference**

MEETING CALLED TO ORDER

At 6:59 p.m., Mayor Pepper called the meeting to order.

ESTABLISH QUORUM

PRESENT: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor and Mayor Pepper
ABSENT: None

DISCUSSION ITEM

1. Emergency Order No. 20-01: Approve Emergency Order 2020-01 requiring face coverings in Los Altos, with certain exceptions

City Manager Jordan provided a staff report and answered questions of the Council.

City Attorney Houston and Police Chief Galea also answered questions from the Council

Mayor Pepper opened the floor for public comment. There was no one from the public wishing to speak.

Council discussion commence.

No action was taken

ADJOURNMENT

Mayor Pepper adjourned the meeting at 10:18 p.m.

Janis C. Pepper MAYOR

Andrea M. Chelemengos, CITY CLERK

**MINUTES OF THE STUDY SESSION OF THE CITY COUNCIL AND
FINANCE COMMISSION OF THE CITY OF LOS ALTOS, HELD ON
TUESDAY, MAY 26, 2020, BEGINNING AT 5:30 P.M. HELD VIA
TELECONFERENCE**

MEETING CASLLED TO ORDER

At 5:38 p.m., Mayor Pepper called the meeting to order.

ESTABLISH QUORUM

PRESENT: Council Members Bruins, Enander, Lee Eng, Vice Mayor Fligor and Mayor Pepper
Finance Commissioners Frey, Martin, Roat, Richmond, Vice Chair McClatchie and
Chairperson Kalkat
ABSENT: Finance Commissioner Kalbach

ITEM FOR CONSIDERATION

DISCUSSION

1. Discussion of Financial Forecast, Revenue and Expense Modifications due to COVID-19, and City Finances in general

Sharif Etman, Los Altos Finance Director and Finance Chairperson Kalkat provided a report to the Council and answered questions relative to City finances currently and forward looking.

Public Comment: The following individual provided public comment: Los Altos resident Roberta Phillips.

Direction: Councilmembers and Commissioners discussed the outlook of the City finances in general and regarding ongoing projects within the City of Los Altos. A majority of Council Members supported placing of quarterly Financial Reports on regular Council meeting agendas, improving the communication between the Council and the Finance Commission and provided feedback with regard to the upcoming budget review and financial policies.

ADJOURNMENT

Mayor Pepper adjourned the meeting at 7:22 p.m.

Janis C Pepper, MAYOR

Andrea M. Chelemengos, MMC, CITY CLERK

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD ON TUESDAY, MAY 26, 2020,
BEGINNING AT 7:00 P.M. HELD VIA VIDEO/TELECONFERENCE**

MEETING CALLED TO ORDER

At 7:32 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: *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
2. 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 Lee Eng moved to reorder the agenda to consider Agenda Item # 8 and #9 prior to Agenda Item #5. The motion was seconded by Council Member Enander. The motion failed (2-3) with the following roll call vote:

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

Council Member Lee Eng moved to reorder the agenda to consider Agenda Item # 8 prior to Agenda Item #5. The motion died for lack of a second.

No changes were made to the order of the agenda.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There was no one wishing to speak.

CONSENT CALENDAR

Council Members Bruins and Enander pulled the May 20, 2020 Regular Meeting minutes from Item #1 of the Consent Calendar.

Mayor Pepper pulled Agenda Item #2 from the Consent Calendar.

Council Member Lee Eng pulled Item # 3 from the Consent Calendar.

1. Council Minutes: Approve the minutes of the April 14, 2020 Regular Meeting, April 28, 2020 Regular Meeting, April 28, 2020 Study Session, and May 12, 2020 Study Session (J. Maginot, A. Chelemengos)
4. Annual Open Government Committee Report: Receive the annual report from the Open Government Committee

Council Member Enander moved to approve Consent Calendar Items 1 and 4 with a noted correction of a typographical error in the April 28 regular meeting minutes. The motion was seconded by Council Member Lee Eng 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

5. 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

Jennifer Leal, Human Resources Manager, provided a staff report and answered questions from the Council as did City Manager Jordan and Finance Director Etman.

The following individual provided public comment: Sean Gallego representing Los Altos Municipal Employee Association.

Council Member Bruins moved that the Council adopt Resolution No. 2020-15 and the terms outlined in the Side Letter Agreement between City of Los Altos & Los Altos Municipal Employees Association as presented. The motion died for lack of a second.

Council Member Lee Eng expressed concerns relative to the impacts of the current health pandemic on the economy and City budget.

Council Member Lee Eng Moved to removed Section 2 (Salary Adjustments) from Resolution 2020-15 and adopt the Resolution as amended. The motion died for lack of a second.

Council Member Bruins moved to adopt Resolution No. 2020-15 and the terms outlined in the Side Letter Agreement between City of Los Altos & Los Altos Municipal Employees Association as presented. The motion was seconded by Vice Mayor Fligor and the motion passed (4-1) with the following vote:

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

6. 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

Jennifer Leal, Human Resources Manager, provided a staff report and answered questions from the Council.

Council Member Bruins moved to Adopt Resolution No. 2020-16 and the terms outlined in the Side Letter Agreement between City of Los Altos & Los Altos Police Officers Association, as presented. The motion was seconded by Vice Mayor Fligor and the motion passed (4-1) with the following vote:

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

7. 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

Chris Jordan, City Manager, provided a staff report and answered questions from the Council.

Council Member Bruins moved to Adopt Resolution No. 2020-17 providing pay adjustments for confidential employees and deferring pay and benefit adjustments for all other non-represented employees The motion was seconded by Vice Mayor Fligor and the motion passed (4-1) with the following vote:

AYES: Council Members Bruins, Enander, Vice Mayor Fligor and Mayor Pepper

NOES: Council Member Lee Eng
ABSENT: None
ABSTAIN: None

8. Contract Amendment Palo Alto Regional Water Quality Control Plant Upgrades: Authorize the City Manager to execute an amendment with the City of Palo Alto for the Outfall Pipeline and the Primary Sedimentation Tank Rehabilitation Projects on behalf of the City of Los Altos

Aida Fairman introduced the matter and provided a Staff report. James Allen, Palo Alto Regional Water Quality Control Plant Manager and Phil Bobel, Palo Alto Public Works, presented an update on the Palo Alto Regional Water Quality Control Plant Upgrades and answered questions from the Council.

Council Member Bruins moved to authorize the City Manager to execute an amendment with the City of Palo Alto for the Outfall Pipeline and the Primary Sedimentation Tank Rehabilitation Projects on behalf of the City of Los Altos. The motion was seconded by Council Member Lee Eng and the motion passed (5-0) with the following vote:

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

AT 8:55 p.m., Mayor Pepper called for a brief recess. At 9:05 p.m., Mayor Pepper reconvened the meeting

9. Legislative Update: Discuss pending legislation and direct staff accordingly

Council members Enander and Bruins discuss pending legislation and recommended the Council authorize letters to be sent to the Department of Housing and Development, Association of Bay Area Governments, and Metropolitan Transportation Commission regarding delay of issuing or Regional Housing Needs Allocations due to impacts on the economy by COVID-19.

The following member of the public commented: Mr. Rahul

Following discussion, Council Member Enander moved that the Council authorize the Mayor to execute the proposed letter with inclusion of referencing the Bay Area Plan 2050 also in terms of delaying implementation at this time. The motion was seconded by Council Member Lee Eng and the motion passed (5-) 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

Upon additional discussion, Council Member Lee Eng moved that the Mayor be authorized to execute a letter requesting that due to the uncertain impacts of COVID 19 that all housing legislation at this time be placed on hold and no new housing legislation be forth coming during the current health pandemic. The motion was seconded by Council Member Enander 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

There was Council interest in agendizing for a future meeting discussion and establishment of General Legislative Position Guidelines of the Council

10. Emergency Measures for Addressing COVID-19 and Discussion of Mandatory Face Coverings: Receive an update from the City Manager regarding emergency measures, discuss the necessity of a mandatory face coverings order, and provide direction: Receive an update from the City Manager and provide direction

City Manager Jordan reported that the Council had previously, at the May 20 Special meeting, discussed and took on no action on a local mandate for face coverings and proceeded to provide an update on the current COVID-19 situation.

INFORMATION ONLY ITEM

Final Process and Eligibility Criteria for The Small Business Relief Assistance Program

The Council received the final eligibility criteria and process for the Small Business Relief Assistance Program and discussion commended with regard the fundraising efforts.

The following member of the public commented: Roberta Phillips.

ITEMS PULLED FROM THE CONSENT CALENDAR

2. Community Development Block Grant FY 2020/21 Capital Improvement Program Funding: Authorize the City Manager to execute the FY 2020/21 Community Block Grant Capital Improvement Program Contract; Appropriate up to \$366,577 San Antonio Road and West Portola Avenue Improvements TS-01037 project; and Approve and authorize the proposed Intersection Pedestrian Improvement project and authorize the City Manager to execute the Community Development Block Grant contract should contingency funding become available

Jim Sandoval, Engineering Services Director, provided a staff report and answered questions from the Council.

Council Member Bruins moved the Council authorize the City Manager to execute the FY 2020/21 Community Block Grant Capital Improvement Program Contract; Appropriate up to \$366,577 San Antonio Road and West Portola Avenue Improvements TS-01037 project; and approve and authorize

the proposed Intersection Pedestrian Improvement project and authorize the City Manager to execute the Community Development Block Grant contract should contingency funding become available. The motion was seconded by Enander 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

3. Countywide Household Hazardous Waste Collection Program and AB 939 Implementation Fee: Authorize the City Manager to execute the Agreements for Countywide Household Hazardous Waste Collection Program and Countywide AB 939 Implementation Fee with the County of Santa Clara on behalf of the City

Aida Fairman, Engineering Services Manager, provided a staff report and answered questions from the council.

Bill Grimes, Santa Clara County Hazardous Materials Program Manager, also answered questions from the Council.

Following discussion, Council Member Lee Eng moved to reduce the funding augmentation for the HHW Program for FY 2020/21 from \$70,143.24 to \$50,000.00 and authorize the City Manager to execute the agreements for Countywide Household Hazardous Waste Collection Program and Countywide AB 939 Implementation Fee with the County of Santa Clara on behalf of the City. The motion was seconded by Council Member Enander 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

1. Council Minutes: Approve the minutes of the May 12, 2020, Regular Meeting

Council Member Enander and Council Member Bruins questioned the second part of the motion (Page 5) pertaining to the Small Business Relief Assistance Program. Staff was directed to compare the language in the minutes to the audio of the motion to clarify the motion in the minutes and to bring the minutes back for consideration at the next Council meeting.

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Council Member Bruins commented on the Open Government report and streamlining the agenda and packet publishing/posting process.

Council Member Enander commented on the need for Council position guidelines for reference by the Legislative Committee.

Vice Mayor Fligor spoke regarding the joint meeting with the Finance Commission and addressing feedback heard from the Commission.

Council Member Lee Eng inquired about a Community Center construction update and results of the survey relative to the Hillview Park rezoning matter.

Mayor Pepper also commented on the meeting with the Finance Commission.

ADJOURNMENT

Mayor Pepper adjourned the meeting at 10:55 p.m.

Janis C. Pepper, MAYOR

Andrea M. Chelemengos MMC, CITY CLERK