

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LOS ALTOS, HELD ON TUESDAY, JUNE 23, 2020,
BEGINNING AT 7:00 P.M. HELD VIA VIDEO/TELECONFERENCE**

MEETING CALLED TO ORDER

At 7:20 p.m., Mayor Pepper called the meeting to order.

ESTABLISH QUORUM

PRESENT: Mayor Pepper, Vice Mayor Fligor, Council Members 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: *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

2. 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

3. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *Satish Ramachandran v. Best, Best and Krieger, a limited liability Partnership;*
Christopher Diaz; Christina Hickey; Kirk Ballard; David Kornfield; Christopher Jordan; Pamela Jacobs,
and Does 1-20
United States District Court, Northern California District
Case number: 5:20-cv-03963-NC

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 Items #5 & #6 prior to #4 and remove Item #8, Legislative Update: Discuss pending legislation and provide direction, from the agenda. The motion was seconded by Council Member Bruins. 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

SPECIAL PRESENTATION

- Presentation of Proclamation of the City Council recognizing July as “Parks Make Life Better” Month

Mayor Pepper read the proclamation into the record.

Donna Legge, Parks and Recreation Director, thanked the Council and introduced Parks and Recreations Commissioners wishing to comment.

Parks and Recreations Commission Chairperson Tanya Lindemeir, Vice Chair Scott Spielman and Commissioner Yong Yeh commented.

SPECIAL ITEM

- **Commission Appointments:** Consider applications and appoint individuals to fill one (1) vacancy on the Environmental Commission (one partial term expiring March 2022) and three (3) vacancies on the Complete Streets Commission (one term expiring March 2022; two terms expiring March 2024)

Following brief discussion, Vice Mayor Fligor moved to consider the matter of Commission appointments at the end of the agenda. 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

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following members of the public commented: Ken Wood and Millie Tiero.

CONSENT CALENDAR

1. Council Minutes: Approve the minutes of the June 9, 2020 Study Session, June 9, 2020 Regular Meeting and June 16, 2020 Study Session
2. Youth Commission Appointments: Appoint individuals to serve on the Youth Commission as recommended by the Council Youth Commission Interview Committee

Council Member Enander moved to approve the Consent Calendar with a noted correction of a typographical error in the June 9 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

PUBLIC HEARING

3. Resolution No. 2020-23: New preschool at 1860 Grant Road: Hold Public Hearing and adopt Resolution No. 2020-23 to approve a conditional use permit modification, variance and design review for 1860 Grant Road for a new, one-story preschool and additions to the existing school building for a new multi-use classroom.

Steve Golden, Senior Planner, provided a staff report and answered questions from the Council.

Michael Boennighauser, Stephanie Allen and project architect, John Miller, spoke on behalf of the application, provided additional project information, and answered questions from the Council.

At 8:40 p.m., the Public Hearing was opened.

Stacey Banerjee provided comments on the proposal.

Since there was no one else wishing to speak, Mayor Pepper closed the Public Hearing at 8:44 p.m.

Following discussion, Council Member Bruins moved to adopt Resolution No. 2020-23 to approve a conditional use permit modification, variance and design review for 1860 Grant Road for a new, one-story preschool and additions to the existing school building for a new multi-use classroom. The motion was second 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. 2020-24 Adopt Resolution No. 2020-24 forming a Council Subcommittee and a Citizens Task Force to review and make recommendations regarding the Los Altos Police Department's policies and procedures

City Manager Jordan provided an introduction of the item. Mayor Pepper and Vice Mayor Fligor also provided information on the matter and answered questions from the other Council Members.

The following members of the public provided comment: Damerdj, Kenan, Briena Brown, Sasha Narain, Maya Acharya, Yiran, Moira Huang, Ishaan Parmar, Emma Souders, Cansu, Jacky Ramirez, Jasmine, Peter, and Rose Hernandez.

Council discussion commenced. There was no action taken. There was consensus to delay adoption of the Resolution to allow time for public outreach and input and for additional data to be provided to the Council.

6. Resolution 2020-25 Open Streets Los Altos: Adopt Resolution No. 2020-25 approving the temporary closure of Main, State and Fourth Streets for COVID-19 Recovery

Jim Sandoval, Engineering Services Director, and Anthony Carnesecca, Economic Development Coordinator provided a staff report and answered questions from the Council.

The following members of the public provided comment: Julie Brown, Steve Aldrich, Joe Beninato, Ken Wood, Boris Teksler, Patrick Anderson, Millie Tiero, Khatchig Jingirian, Victoria Breslin, Robert, Richard Mandeberg, Erik Moe, and Ryan Morris

Council discussion commenced. There was Council consensus to set September 28, 2020, at this time, as the end of the Open Streets Program with monthly program updates provided to the Council. Council also provided feedback on details of the program.

Council Member Lee Eng moved to adopt Resolution No. 2020-25 approving the temporary closure of Main, State and Fourth Streets for COVID-19 Recovery, as amended, to set September 28, 2020, as the end of the Open Streets Program. The motion was seconded by Council Member Enander 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

4. Fiscal Year 2020-21 Operating Budget and Fiscal Year 2020-24 Capital Improvement Plan: Adopt Resolution No. 2020-26 adopting FY 2020-21 Operating Budget; adopt Resolution No. 2020-27 adopting the FY 2020-24 Five-Year Capital Improvement Program; adopt Resolution No. 2020-28 establishing the 2020-21 Transient Occupancy Tax; adopt Resolution No. 2020-29 establishing the FY 2020/21 Utility Users Tax; adopt Resolution No. 2019-30 establishing the FY 2020-21 Appropriations Limit; and adopt Resolution No. 2020-31 approving adjustments to the compensation ranges and the benefit package for the confidential employee group and approving the salary schedule for employees for FY 2020-21

City Manager Jordan and Sharif Etman, Administrative Services Director, provided a staff report and answered questions from the Council.

A majority of the Council Members expressed an interest in the City moving forward with the construction of the Emergency Operations Center (EOC). Discussion commenced regarding funding for the EOC. Vice Mayor Fligor expressed opposition to funding the EOC from emergency funds. Council Member Lee Eng expressed concern with moving forward with the EOC and the tight budget. Staff provided an explanation of future EOC funding options and timing.

The following members of the public commented: Ludka Koskova, Ishaan Parmar and Jeremy Wright.

Council directed staff to Financial Reports on the Council agenda in regular intervals and that going forward Council be advised of any early warning signs of lower than expected City revenues.

Council Member Bruins moved to adopt Resolution No. 2020-26 adopting FY 2020-21 Operating Budget. The motion was seconded by Vice Mayor Fligor 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

Council Member Bruins moved to adopt Resolution No. 2020-27 adopting the FY 2020-24 Five-Year Capital Improvement Program. 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

Council Member Lee Eng stated that she voted No based on her concern with moving forward with the EOC at this time and funding of the project.

Council Member Bruins moved to adopt Resolution No. 2020-28 establishing the 2020-21 Transient Occupancy Tax. The motion was seconded by Council Member Lee Eng and the motion passed (4-1) with the following vote:

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

Council Member Bruins moved adopt Resolution No. 2020-29 establishing the FY 2020/21 Utility Users Tax. The motion was seconded by Vice Mayor Fligor 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

Council Member Bruins moved to adopt Resolution No. 2019-30 establishing the FY 2020-21 Appropriations Limit. 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

Council Member Bruins moved to adopt Resolution No. 2020-31 approving adjustments to the compensation ranges and the benefit package for the confidential employee group and approving the

salary schedule for employees for FY 2020-21. The motion was seconded by Council Member Enander 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

Council Member Lee Eng stated that she voted No to be consistent with her position and concerns stated during the previous budget study session.

SPECIAL ITEM

- **Commission Appointments:** Consider applications and appoint individuals to fill one (1) vacancy on the Environmental Commission (one partial term expiring March 2022) and three (3) vacancies on the Complete Streets Commission (one term expiring March 2022; two terms expiring March 2024)

Council discussion commenced. City Clerk Chelemengos answered questions from the Council.

Council Member Bruins moved to appoint Suresh Venkatraman to the Complete Streets Commission with a term ending March 2024. 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

Mayor Pepper moved to appoint Autumn Looijen to the Environmental Commission partial term expiring March 2022. The motion was seconded by Council Member Bruins and passed (3-2) with the following roll call vote:

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

Direction was given to staff to re-open the Complete Streets Commission recruitment and include all current Commission vacancies in the recruitment.

The following two items were deferred:

7. Mandatory Face Coverings: Approve Emergency Order 2020-01 requiring members of the public to wear face coverings
9. Emergency Measures for Addressing COVID-19: Receive an update from the City Manager regarding emergency measures

The following item was removed from the agenda by motion under Changes To The Order Of The Agenda:

8. Legislative Update: Discuss pending legislation and provide direction

9.

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Council Member Lee Eng requested that the matter of diversity training for staff be placed on a future Council agenda for discussion. Council Member Lee Eng also inquired about cooling stations within the City. Staff provided information on cooling stations.

Council Member Enander stated that she would provide a legislative update report at a future meeting.

Vice Mayor Fligor spoke regarding scheduling, in a timely manner, the-a public forum to gather public input relative to the matter of the Council Subcommittee ~~and a Citizens Task Force~~ to review and make recommendations regarding the Los Altos Police Department's policies and procedures.

ADJOURNMENT

Mayor Pepper adjourned the meeting at 1:31 a.m.

Janis C. Pepper, MAYOR

Andrea M. Chelemengos MMC, CITY CLERK