



**MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF  
THE CITY OF LOS ALTOS, HELD ON SATURDAY, SEPTEMBER 5,  
2020, BEGINNING AT 4:00 P.M. HELD VIA  
VIDEO/TELECONFERENCE**

**MEETING CALLED TO ORDER**

At 4:00 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

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

There was no public comment.

**ADJOURN TO CLOSED SESSION**

The City Council adjourned to Closed Session.

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.*  
*Sixth District Court of Appeal Case No HO48270, 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 LLC v City of Los Altos et al.*  
*Sixth District Court of Appeal, Case Number H048270 County of Santa Clara Case No. 19CV349845*

**RECONVENE TO OPEN SESSION**

At 5:35 p.m., the meeting was reconvened to open session.

**CLOSED SESSION ANNOUNCEMENT**

Mayor Pepper reported that the Los Altos City Council voted unanimously to withdraw its appeal of the following two 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. Sixth District Court of Appeal Case No HO48270, County of Santa Clara Case No. 19CV350422* and *40 Main LLC v City of Los Altos et al. Sixth District Court of Appeal, Case Number H048270 County of Santa Clara Case No. 19CV349845*

Mayor Pepper further announced that a public meeting has been tentatively set for 7:00 p.m. Thursday, September 10, 2020 to issue the Court mandated streamlined ministerial approval of the permit requested by the applicant, 40 Main LLC, subject to some limited City requirements.

**ADJOURNMENT**

Mayor Pepper adjourned the meeting at 5:38 p.m.

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Janis C. Pepper, MAYOR

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Andrea M. Chelemengos MMC, CITY CLERK

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**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF  
THE CITY OF LOS ALTOS, HELD ON TUESDAY, SEPTEMBER 8, 2020,  
BEGINNING AT 7:00 P.M. HELD VIA VIDEO/TELECONFERENCE**

**MEETING CALLED TO ORDER**

At 7:05 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

**REPORT ON CLOSED SESSION**

1. Public Employment: City Manager Performance Review  
Pursuant to Government Code Section 54957 (b) and 54957.6
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-*
4. 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. Sixth District Court of Appeal Case No HO48270, County of Santa Clara Case No. 19CV350422*
5. Conference with Legal Counsel – Existing Litigation  
Pursuant to Government Code Section 54956.9(d)(1)  
Name of Case: *40 Main LLC v City of Los Altos et al. Sixth District Court of Appeal, Case Number H048270 County of Santa Clara Case No. 19CV349845*
6. Conference with Legal Counsel – Anticipated Litigation  
Pursuant to Government Code Section 54956.9(d)(2)

Mayor Pepper reported that the City Council had met in closed session prior to this meeting and stated that no action had been taken and there was nothing to report.

## SPECIAL PRESENTATION

- Presentation of Proclamation of the City Council Declaring the Month of September to be Emergency Preparedness Month

Mayor Pepper presented the above Proclamation.

## CHANGES TO THE ORDER OF THE AGENDA

There were no changes made to the order of the agenda

## SPECIAL ITEM

- **Commission Appointments:** Appoint individuals to fill vacancies on the Complete Streets Commission, Design Review Commission, Historical Commission, Parks and Recreation Commission, Planning Commission, and Library Commission.

City Clerk Chelemengos provided a brief staff report and answered questions from the Council.

### Historical Commission

Councilmember Enander moved to reappoint Russell Bartlett and Larry Lang to the Historical Commission for terms expiring September 2024. 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

### Parks and Recreation Commission

Council Member Lee Eng moved to nominate John Corrigan to the Parks and Recreation Commission for a partial term ending March 2023. The nomination was seconded by Council Member Enander.

Vice Mayor Fligor moved to nominate Robert Henely to the Parks and Recreation Commission for a partial term ending March 2023. The nomination was seconded by Council Member Bruins.

A roll call vote to appoint John Corrigan to the Parks and Recreation Commission for a partial term ending March 2023 was taken and passed (3-2) with the following roll call vote:

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

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Since the only vacant seat had been filled, no vote was taken on the motion made by Vice Mayor Fligor seconded by Council Member Bruins.

Planning Commission

Council Member Bruins moved to nominate Shelley Doran to the Planning Commission. The nomination was seconded by Council Member Lee Eng.

Council Member Enander moved to nominate Eric Steinle to the Planning Commission. The nomination was seconded by Council Member Lee Eng.

Mayor Pepper moved to nominate Samuel Harding to the Planning Commission. The nomination was seconded by Vice Mayor Fligor.

Vice Mayor Fligor moved to nominate Daphne Ross to the Planning Commission. The nomination was seconded by Mayor Pepper.

Roll call votes as follows were taken for the nominations

The nomination to appoint Shelley Doran to the Planning Commission with a term ending September 2024 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

The nomination to appoint Eric Steinle to the Planning Commission with a term ending September 2024 passed (4-1) with the following roll call vote:

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

The nomination to appoint Samuel Harding to the Planning Commission with a term ending September 2024 failed (2-3) with the following roll call vote:

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

The nomination to appoint Daphne Ross to the Planning Commission with a term ending September 2024 failed (2-3) with the following roll call vote:

AYES: Vice Mayor Fligor and Mayor Pepper.  
NOES: Council Member Bruins, Enander, and Lee Eng

ABSENT: None  
ABSTAIN: None

Design Review Commission

Council Member Bruins moved to nominate Michael Ma and David Blockhus to the Design Review Commission. The nomination failed for lack of a second.

Council Member Bruins moved to nominate Michael Ma to the Design Review Commission. The nomination was seconded by Council Member Enander.

Council Member Lee Eng moved to nominate Mariel Stoops to the Design review Commission. The nomination was seconded by Council Member Enander.

Council Member Enander moved to nominate Samuel Harding to the Design Review Commission. Council Member Lee Eng seconded the nomination.

Vice Mayor Fligor moved to nominate David Blockhus to the Design Review Commission. The nomination was seconded by Council Member Bruins.

Roll call votes as follows were taken for the nominations

The nomination to appoint Michael Ma to the Design Review Commission with a term ending September 2024 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

The nomination to appoint Mariel (Stoops) Serrato to the Design Review Commission with a term ending September 2024 failed (2-3) with the following roll call vote:

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

The nomination to appoint Samuel Harding to the Design Review Commission with a term ending September 2024 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

The nomination to appoint David Blockhus to the Design Review Commission with a term ending September 2024 passed (4-1) with the following roll call vote:

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

Complete Streets Commission

Council Member Lee Eng moved to nominate Stephen Katz to the Complete Streets Commission for a term expiring March 2024. The nomination was seconded by Council Member Bruins.

There were no other nominations made.

The nomination to appoint Stephen Katz to the Complete Streets Commission with a partial term ending March 2024 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

Library Commission

Vice Mayor Fligor moved to nominate Sandesh Mouli to the Library Commission for a partial term ending September 2021. The nomination was seconded by Council Member Lee Eng.

Council Member Enander moved to nominate Julie Crane to the Library Commission for a partial term ending September 2021. The nomination was seconded by Council Member Lee Eng.

Mayor Pepper moved to nominate Carolle Carter to the Library Commission for a partial term ending September 2021. The nomination was seconded by Council Member Lee Eng.

There were no other nominations made.

The nomination to appoint Sandesh Mouli to the Library Commission to a partial term ending March 2021 failed (2-3) with the following roll call vote:

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

The nomination to appoint Julie Crane to the Library Commission with a partial term ending March 2021 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

The nomination to appoint Carolle Carter to the Library Commission for the partial term ending March 2021 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 provided comments: Sheridan Foster, Joe Benedetto, Steve, Ludka Koskova Nesbit, Ishaan Parmar, and Katie Cheng

### **CONSENT CALENDAR**

1. Council Minutes: Approve the (amended) minutes of the August 25, 2020 Regular Meeting
2. Ordinance No. 2020-472: Construction and Demolition Debris Introduce and waive further reading of Ordinance No. 2020-472 amending Chapter 6.14, Collection, Recycling, and Disposal of Waste Generated from Deconstruction, Demolition, Construction, and Renovation Projects within the City of Los Altos and adopt the penalty fee and the administrative fee included in Chapter 6.14

Council Member Enander moved to approve Consent Calendar. The motion was seconded by Council Member Bruins 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 HEARINGS**

3. Repeal and Replace Chapter 14.14 of the Los Altos Municipal Code (Accessory and Junior Dwelling Units) by adopting Zoning Text Amendment 20-0001: Introduce and waive further reading of an Ordinance repealing and replacing Chapter 14.14 of the Los Altos Municipal Code (Accessory and Junior Dwelling Units) by adopting Zoning Text Amendment 20-0001

Planning Service Manager Persicone provided a staff report and answered questions from the Council.

Mayor Pepper opened the Public Hearing. Shahla Aly provided comments.

Council reviewed the proposed ordinance, provided feedback and direction for various modifications and direct staff to incorporate the modifications and bring the proposed Ordinance back to a future meeting for further review and consideration.



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At 9:23 p.m., Mayor Pepper called for a brief recess. At 9:31 p.m. Mayor Pepper reconvened the meeting.

## DISCUSSION ITEMS

- 4 Police Town Hall Follow Up: Discuss information gathered from July 28, 2020 Police Town Hall Meeting and provide direction to staff

Mayor Pepper and Vice Mayor Fligor provided a report and answered questions from the Council.

Police Chief Galea also answered questions from the Council.

The following members of the public provided comment: Ruth Darlene, Steve, Renee Rici, Katie Cheng, Ishaan Parmar, Salim Damerджи, Bill Hough, Curtis Cole, Roberta Phillips, Anthony Chau, Moira Huang and Orta.

Following discussion, there was Council support for formation of a Citizen Police Task Force to focus specifically on concerns raised by the public regarding School Resource Officers and the Police Departments process when complaints are filed against police officers. Council directed staff to draft criteria for the formation of a task force and the scope of focus for a Citizen's Police Task Force and bring the matter back before the City Council for consideration. Council further directed staff (Police Chief Galea) to analyze the Police Department's current training programs and report back to Council with information on the Police Department's current training program and frequency, identify any deficiencies and make recommendations for additional training programs, as well as provide information on the budgetary needs to provide for additional training for police staff training.

In addition, there was Council consensus to expedite the implementation of the RIPA (Racial and Identity Profiling Act) data.

5. Changing the Zoning and/or General Plan Land Use Designation for Civic Center Lands: Direct staff to proceed with developing a zoning or General Plan land use designation change for Civic Center lands with the goal of protecting park and open space (J. Biggs and J. Houston)

Community Development Director Biggs provided a staff report and answered questions from the Council.

There was no public comment on the matter.

Council directed staff to proceed with developing a change to the zoning or land use designation for the Civic Center Complex

6. Resolution No. 2020-24: Tobacco Retailer License Fee: Adopt Resolution No. 2020-24 setting the Tobacco Retailer License Fee

Management Analyst Fellow Marsden provided a staff report and answered questions from the Council.

Council Member Enander moved to amend the resolution to incorporate language to clarify the proration of the fee and adopt the resolution as amended. 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

7. Delegate to League of California Cities Annual Conference and Business Meeting: Designate Councilmembers as Delegate and Alternate for the purpose of attending and voting at the League of California Cities Annual Conference and Business Meeting October 7-9, 2020

Council Member Bruins moved to appoint Council member Enander as the City's Voting Delegate and Vice Mayor Fligor as the alternate to the League of California Cities Annual Conference and Business Meeting. The motion was seconded by Mayor Pepper 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

### **COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS**

Council Member Lee Eng requested that the Council be provide information on the City's budget and financial picture early October.

Council member Bruins requested that the matter of the Bocce Ball Courts be expedited and brought to Council prior to the upcoming expiration of Council terms.

the Legislative Update be placed on the September agenda to allow Council to act in a timely manner

Council Member Bruins expressed concern with the Council completing is work plan prior to the end of the upcoming Council terms. Mayor Pepper requested that the Council Member send to the city clerk their top work priorities by the end of the week for the City manager to schedule on upcoming agenda.

City Manager Jordan provided an update on administrative matters.

### **ADJOURNMENT**

At 12:12 a.m., September 9, 2020, Mayor Pepper adjourned the meeting.

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Janis C. Pepper, MAYOR

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Andrea M. Chelemengos MMC, CITY CLERK

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**MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF  
THE CITY OF LOS ALTOS, HELD ON SATURDAY, SEPTEMBER 10,  
2020, BEGINNING AT 7:00 P.M. HELD VIA  
VIDEO/TELECONFERENCE**

**MEETING CALLED TO ORDER**

At 7:00 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

**DISCUSSION ITEM**

1. 40 Main Street, Mixed Use Project Approval: Adopt resolution rescinding the City Council's previous denial of the 40 Main mixed-use project and rescinds the Community Development Department's Letters of December 7, 2018 and February 6, 2019 and grants ministerial approval to the project pursuant to Government Code Section 65913.4 (SB 35).

Community Development Director Biggs provided a staff report.

Mayor Pepper called for public comment. There were no public comments.

Council Member Bruins moved to adopt Resolution No. 2020-33 Rescinding In Its Entirety, Resolution No. 2019-13, A Resolution Of The City Council Of The City Of Los Altos Denying An Appeal And Affirming Staff's Determination That The Proposed Project At 40 Main Street Is Not Subject To Ministerial Streamlined Permit Processing Of A Development Application Pursuant To Government Code Section 65913.4 (SB 35); Rescinding The City Of Los Altos Community Development Department Letters Of December 7, 2018 And February 6, 2019 Regarding The Proposed Project At 40 Main Street, And Approving The Application Referenced As No. 1108545 On The Application Form Submitted On November 8, 2018 To The Los Altos Planning Division, For A Proposed Mixed-Use Residential Development Project At 40 Main Street In The City Of Los Altos. 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

Council Member Bruins moved that the Council direct staff to issue payment for damages in the amount of \$490,001 to 40 Main Street Offices LLC and that the funds be taken from the City's Emergency and Operating Reserves. 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

**ADJOURNMENT**

At 7:11 p.m., Mayor Pepper adjourned the meeting.

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Janis C. Pepper, MAYOR

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Andrea M. Chelemengos MMC, CITY CLERK

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