

**MINUTES OF THE STUDY SESSION MEETING OF THE CITY
COUNCIL OF THE CITY OF LOS ALTOS, HELD ON TUESDAY,
SEPTEMBER 10, 2019, BEGINNING AT 6:00 P.M. AT LOS ALTOS
YOUTH CENTER, 1 NORTH SAN ANTONIO ROAD, LOS ALTOS,
CALIFORNIA**

ESTABLISH QUORUM

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

ABSENT: None

ITEM FOR CONSIDERATION

1. Cost Allocation Plan and User Fee Study: Discuss and accept the Cost Allocation Plan and User Fee Study prepared by Willdan and provide direction as desired by City Council

Sharif Etman, Administrative Services Director and Tony Thrasher, Senior Project Manager from Willdan presented the report and responded to Council questions.

Direction: Councilmembers provided feedback to staff regarding the report and made requests for additional information to be provided in future presentations on this topic.

Public Comment: No public comment received.

ADJOURNMENT

Mayor Lee Eng adjourned the meeting at 7:10 p.m.

Lynette Lee Eng, MAYOR

Dennis Hawkins, CMC, CITY CLERK



SECOND REVISED DRAFT

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS, HELD ON TUESDAY, SEPTEMBER 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 Lee Eng, Vice Mayor Pepper, Council members Bruins, Enander, and Fligor

ABSENT: None

PLEDGE OF ALLEGIANCE

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

CLOSED SESSION ANNOUNCEMENT

1. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *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.*
Santa Clara County Superior Court, 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.*
Santa Clara County Superior Court, Case No. 19CV349845
2. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *GoldSilverIsland Homes, LLC v. City of Los Altos, et al.*
Santa Clara County Superior Court, Case No. 19CV352667

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

CHANGES TO THE ORDER OF THE AGENDA

No changes to the order of the agenda.

Action: Upon a motion by Council member Enander, seconded by Councilmember Bruins, the Council unanimously approved the order of the agenda as presented.

SPECIAL PRESENTATION

Mayor Lee Eng presented a Proclamation to Ann Hepenstal, Emergency Preparation Coordinator, and community volunteers to recognize Emergency Preparedness Month.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The Council heard comments from Suzanne Emerson and Mark Apton.

SPECIAL ITEM

- A. Commission appointments: Appoint individuals to fill vacancies on the Financial, Library, and Public Arts Commissions.

Public Comment: No public comment heard.

Action: By written ballot, the Council appointed Mark Frey, Kuljeet Kalkat, James Martin, and Martha McClatchie to four-year terms on the Financial Commission expiring September 2023. AYES: Bruins, Enander, Fligor, Lee Eng and Pepper; NOES: None; ABSTAIN: None; ABSENT: None.

Action: By written ballot, the Council appointed Nelvin Gee and Freddie Wheeler to four-year terms expiring September 2023 and Eric Steinle to the unexpired portion of a term expiring September 2021 on the Library Commission. AYES: Bruins, Enander, Fligor, Lee Eng and Pepper; NOES: None; ABSTAIN: None; ABSENT: None.

Action: By written ballot, the Council appointed David Horine, Ginny Strock, Monica Waldman to the Public Arts Commission to four-year terms expiring September 2023. AYES: Bruins, Enander, Fligor, Lee Eng and Pepper; NOES: None; ABSTAIN: None; ABSENT: None.

1. Council Minutes:

Action: The Council unanimously approved the revised minutes of July 30, 2019 special meeting.

Action: The Council unanimously approved the minutes of the August 5, 2019 special meeting, and the August 27, 2019 study session and regular meeting as presented.

CONSENT CALENDAR

Public Comment: No public comment heard.

Action: Council member Enander pulled item 4. No public comment heard. The Council unanimously approved Items 2, 3, and 5 as presented.

2. Resolution No. 2019-40: History Museum Grant Application: Resolution No. 2019-40 Adopted approving the Los Altos History Museum's application for a County of Santa Clara County Historic grant for the Los Altos History Museum Historical Figures in Los Altos Exhibit project; delegating authority to the Los Altos History Museum Executive Director to sign and submit the grant application on behalf of the City of Los Altos; and committing the project property to the project for a period of at least twenty years
3. Ordinance No. 2019-458: Density Bonus Regulations: Ordinance No. 2019-458 adopted to amend Section 14.28.040.F of the Los Altos Municipal Code regarding incentive standards

5. Construction Contract: On-Call Sanitary Sewer Spot Repairs and CCTV Inspection Services: Authorize the City Manager to execute a not-to-exceed contract with EPS Inc. dba Express Plumbing, in the amount of \$100,000 to provide on-call sanitary sewer spot repairs and CCTV inspection services (G. Gabler)

DISCUSSION ITEMS

4. Ordinance No. 2019-462: Commercial Retail Sales District amendments: Adopt Ordinance No. 2019-462 amending the list of permitted and conditional uses in the CRS (Commercial Retail Sales) Zone District.

Public Comment: The Council heard comments from Jon Baer, Kim Mosely, Abby Ahrens, and Mayra Fernandez.

Action: Upon motion by Council member Enander and second by Vice Mayor Pepper the Council adopted Ordinance Number 2019-462 as presented. AYES: ***Bruins***, Enander, Fligor, Lee Eng and Pepper; NOES: ***Bruins***; ABSTAIN: None; ABSENT: None.

Action: Motion made by Councilmember Enander and seconded by Vice Mayor Pepper to direct staff to draft further amendments to the CRS Zone District to: 1) clearly ban “call centers;” 2) revise Section 14.4.8.030B to separate out animal clinics; 3) revise Section D to limiting Type 1 personal services and continue exclusion from fronting on Main, First, and State Streets but allowing them above the ground floor or elsewhere in the CRS zone and allow all Type 2 uses everywhere in the zone; 4) determine the appropriate location for Section 14.48.040.A after identifying its purpose and how it comports with the General Plan; and 5) Section C to restore an exception which would preclude day care centers on First Street.

Councilmember Bruins offered an amendment, which was accepted, to ban “call centers and the like” and to determine whether Section 14.48.040.A is needed and if so, the appropriate location. The motion, as amended, passed unanimously.

Mayor Lee Eng recessed the meeting at 8:55 p.m. The meeting resumed at 9:05 p.m.

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

Public Comment: No public comment heard.

Action: Upon motion by Council member Enander and second by Vice Mayor Pepper the Council delegated the drafting of the City’s response to the Grand Jury to Vice Mayor Pepper with review by Mayor Lee Eng and staff prior to the response being sent. AYES: Enander, Fligor, Lee Eng and Pepper; NOES: Bruins; ABSTAIN: None; ABSENT: 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 16-18, 2019 in Long Beach (J. Maginot)

Public Comment: No public comment heard.

SECOND REVISED DRAFT

Action: The Council unanimously appointed Mayor Lee Eng as delegate and Council member Fligor as alternate.

8. Discussion of Hiring a Lobbyist: Discuss hiring a lobbyist and determine how the Council would like to proceed (C. Jordan)

Public Comment: The Council heard from Jeanine Valadez.

Action: The Council majority, *members Bruins, Fligor and Vice Mayor Pepper, indicated their opposition to the City retaining a lobbyist* and determined that no further action was necessary *on this matter*.

Action: Upon motion by Council member Fligor and second by Vice-Mayor Pepper, the Council unanimously agreed to form a Legislation sub-committee to be appointed by the incoming Mayor at the annual reorganization meeting in December.

9. City of Los Altos Council participant in UrbanPlan for Communities workshop: Select a participant and alternate of the Los Altos City Council to attend the UrbanPlan for Communities workshop (A. Carnesecca)

Public Comment: No public comment heard.

Action: The Council unanimously appointed Vice Mayor Pepper as participant and Council member Enander as alternate.

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

Action: Council Member Enander reported on several pending bills in the State Legislature. No action was taken.

11. Summary of Coalitions Addressing Telecommunications Issues at the Federal Level Impacting Wireless Deployment and Local Government Authority: Authorize the City Manager to commit the City to participation in one or more coalitions organized by Best Best & Krieger LLP, in furtherance of the Council's goal of preserving its authority to manage wireless infrastructure deployment in the City (City Staff)

Action: The matter was referred to the September 24, 2019 agenda.

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Council member Enander requested information regarding Carmel Terrace. In addition, she discussed several upcoming meetings regarding Stanford land use issues and her attendance at an Airport Roundtable meeting.

Vice Mayor Pepper reported on the *Friends of the Library* subcommittee's work on various tasks.

Council member Bruins requested discussion of CT Zone issues in October.

ADJOURNMENT

Mayor Lee Eng adjourned the meeting at 11:17 p.m.