



**MINUTES OF THE REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF LOS ALTOS
TUESDAY, DECEMBER 15, 2020**

HELD VIA VIDEO/TELECONFERENCE

MEETING CALLED TO ORDER

At 7:03 p.m., Mayor Fligor called the meeting to order.

ESTABLISH QUORUM

Present: Mayor Fligor, Vice Mayor Enander, Council Members Lee Eng, Meadows, and Weinberg

Absent: None

REPORT ON CLOSED SESSION

1. 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*
2. 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-*
3. 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*
4. 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*
5. Public Employment: City Manager
Pursuant to Government Code Section 54957

Mayor Fligor reported that the City Council met in closed session prior to this meeting. She stated that there was no action taken and nothing to report on Closed Session Items 1 – 4. With regard to Closed Session Item 5. *Public Employment: City Manager*, Mayor Fligor reported that the Council had formed a subcommittee consisting of herself and Vice Mayor Enander to work on matters related the filling of the City Manager position.

SPECIAL ITEMS

- Presentation of Proclamation to Community Services Agency (CSA)

Mayor Fligor spoke briefly regarding the many services provide by CSA and presented the Proclamation.

Tom Myers representing CSA commented.

- Community Center Update

Donna Legge, Recreation Director, Peter Masol, Los Altos Project Manager and Jim Sandoval, Los Altos Engineering Services Director, City Consultants Janet Tam, Trina Goodwin, James Gwise of Noll and Tam, and Joe Capp Jenner of NOVA Partners provided an overview of the Community Center Construction progress and answered questions from the Council.

CHANGES TO THE ORDER OF THE AGENDA

Vice Mayor Fligor moved consideration of agenda Item # 9, *Emergency Measures for Addressing COVID-19*, following Item # 7. The motion was seconded by Council Member Lee Eng and the motion passed 5-0 with the following roll call vote:

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

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following members of the public commented: Toni Moos, King Kenan, Salim, Moira Huang, Renee Rashid, Nicholas Kuwada, Scott Hunter, Teresa Morris, Frank Martin, Roberta Phillips, Scott Spielman, Ella Maluf, Aisha, and Terri Couture.

CONSENT CALENDAR

Council Member Weinberg removed from the Consent Calendar Item # 3 *Halsey House Maintenance Funding Request*.

1. Council Minutes: Approve the Minutes of the December 8, 2020 Regular Meeting.
2. 2021 City Council meeting schedule: Approve the 2021 City Council meeting schedule

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4. Resolution No. 2020-41: Adopt Resolution No. 2020-41 accepting completion of the Fiscal Year 2019/20 Annual Street Slurry Seal Project and authorize the Engineering Services Director to record a Notice of Completion as required by law. FY-19/20 Annual Street Slurry Seal, Project TS-01004
 5. Resolution No. 2020-42: Opposing The Valley Transportation Authority's 2016 Measure B 10-Year Outlook Base Scenario

Council Member Meadows moved that the City Council approve Consent Calendar Items 1, 2, 4 and 5. The motion was seconded by Vice Mayor Enander and the motion passed 5-0 with the following roll call vote:

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

PUBLIC HEARINGS -None

DISCUSSION ITEMS

6. Bocce Ball/Grant Park Master Plan: Acknowledge offer of \$20,000 from the Los Altos Legacies and \$20,000 from the Rotary Endowment Fund to build two bocce ball courts in Grant Park and direct staff to send a letter to the donors deferring a decision to accept or not accept the donation after Grant Park priorities have been identified through a comprehensive public outreach process and authorize staff to proceed with engaging a landscape architect to work with staff and the PARC Grant Park Master Plan Subcommittee to coordinate the public process and a site specific Master Plan for Grant Park per the recommendations of the Parks and Recreation and Senior Commissions.

Council Member Lee Eng stated that she had been awaiting a ruling by the FPPC regarding whether or not a conflict exists with regard to the matter and the close proximity of her residence. She stated she had not yet received the requested decision from the FPPC. She stated that she would recuse herself from the matter. Council Member Lee Eng left the meeting at 8:33 p.m.

Council Member Weinberg disclosed that he resides 0.4 miles from the subject park and had consulted the City Attorney regarding a potential conflict of interest and it had been determined that there is not a conflict. He further reported that he had received a campaign donation of \$250 from King Lear, a principal at the Legacy Foundation, and that he (Council Member Weinberg) had formerly served on the Parks and Recreation Commission that had previously considered this matter. He stated that he is clear on his role now as a City Council member representing the City as a whole and that he has no conflict and would be participating in the deliberation and vote on the matter.

Council Member Meadows reported that she is a member of the Los Altos Rotary, but not a member of the endowment fund committee.

Mayor Fligor reported that she also is a Rotary member, but not a member of the endowment fund committee.

Donna Legge, Parks and Recreation Director, provided a staff report and answer questions from the Council.

Senior Commissioner Pete O'Reilly and Parks and Recreation Commissioner Pete Daily provided additional information and answered questions.

At 8:50 p.m., Mayor Fligor called for a brief recess. At 8:55 p.m. Mayor Fligor reconvened the meeting.

The following individuals provided comments: Cindy Andrews, Monica C, Frank Martin (spoke on behalf of Douglas Greiman, Carol Ovelman, Roberta Phillips, Pat Heather, Chau Wu, and Peter Mehring,) Carl Baeuerlen and Scott Spielman.

Following discussion, Council Member Weinberg moved to direct staff to draft a letter on behalf of the City Council to thank and acknowledge the most recent offer of \$20,000 from the Los Altos Legacies and \$20,000 from the Rotary Endowment Fund and to defer further discussion as to the potential use of such a gift (donation) until after Grant Park priorities have been identified through a comprehensive public outreach process. The motion was seconded by Vice Mayor Enander and the motion passed 4-0 with the following roll call vote:

AYES: Council Members Meadows, Weinberg, Vice Mayor Enander and Mayor Fligor.
NOES: None
ABSENT: Council Member Lee Eng (recused)
ABSTAIN: None

Additional discussion ensued.

City Attorney Houston noted that should the Council decide to proceed with a Grant Park master plan the process will be conducted in such a way as to follow CEQA guidelines and all other applicable Land Use processes and regulations.

Following discussion, Vice Mayor Enander moved to direct staff to work with representatives of the Parks and Recreation Commission, Senior Commission and Youth Commission to develop and bring back to the Council a scope of work, identifying minimum requirements and constraints, for the development of a Request For Proposal (RFP) for a Master Plan for the exterior of Grant Park. The motion was second by Council Member Meadows and the motion passed with the following roll call vote.

AYES: Council Members Meadows, Weinberg, Vice Mayor Enander and Mayor Fligor.
NOES: None
ABSENT: Council Member Lee Eng (recused)
ABSTAIN: None

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7. Community Center Project Financing: Adopt Resolution authorizing the lease/leaseback financing in the maximum principal amount of \$10 million to finance a portion of the costs of the Community Center.

At 8:55 p.m., Council Member Lee Eng rejoined the meeting.

Sharif Etman, Administrative Services Manager, City Consultants Craig Hill of NHA Advisors and Attorneys Scott Fergusson and Brian Haroldson of Jones Hall provided information and answered questions from the Council.

The following individuals provided comments: Pierre Bedard and Jon Baer.

Mayor Fligor moved that the Council adopt the resolution authorizing the lease/leaseback financing in the maximum principal amount of \$10 million to finance a portion of the costs of the Community Center. The motion was seconded by Vice Mayor Enander and the motion passed 5-0 with the following roll call vote:

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

9. Emergency Measures for Addressing COVID-19: Receive an update from the Acting City Manager and provide direction on additional potential measures to address COVID-19

Acting City Manager Maginot provided a presentation to the Council and answered questions. Anthony Carnesecca, Economic Development Coordinator also provided a report and answered questions from the Council.

Kim Mosley commented.

Council thanked staff. No action was taken.

3. Halsey House Maintenance Funding Request: Approve allocation of \$25,000 from the City's General Fund for roof repairs, exterior wall waterproofing and perimeter groundwork of the Halsey House in Redwood Grove.

Council Member Weinberg expressed concern with the condition of Halsey House and the City continuing to put money toward the building until it has been determined what the City wants to do with the building, refurbish or demolish it.

Donna Legger, Parks and Recreation Director provided information to and answered questions from the Council.

The following individuals commented: Jon Baer, Scott Spielman, and Elizabeth Ward.

Council Member Lee Eng moved the Council approve allocation of \$25,000 for roof repairs, exterior wall waterproofing and perimeter groundwork of the Halsey House in Redwood Grove.

City Attorney noted that the Halsey House is a local historic resource and project funding for maintenance and repairs, as noted in the staff report, is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15331.

The motion was seconded by Mayor Fligor and the motion passed with the following 4-1 roll call vote:

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

Additional discussion commenced, Acting City Manager Maginot, Community Development Director Biggs and City Attorney Houston answered questions from the Council.

Mayor Fligor moved that the Council direct staff to work with Parks and Recreation Commission, the Historical Commission and Finance Commission to develop a recommendation on what should be done with Halsey House, expanding upon the work that has already been done, including clear criteria for the recommendations; an exploration of grant funding for the different options and an explanation of available funding options for those recommendations that have no funding grant options. Council Member Lee Eng seconded the motion. The motion passed 5-0 with the following roll call vote:

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

8. 2021 City Council Assignments: Accept the Mayor's appointments to local and regional boards and Council Committees for 2021

Mayor Fligor noted the omission of the alternate to the Water Commission, alternate to the Santa Clara County round Table, alternate to the VTA policy Advisory Committee, Alternate the VTA Highway 85, the Mountain View Los Altos School District Subcommittee, and the COVID-19 subcommittee and stated that these appointments would be made along with those contained in the staff report.

Discussion commenced. Council Member Meadows questioned the need for Council Liaisons to City Commissions with the exception of the Youth Commission. There was consensus to discuss this further at the Council retreat.

During discussion modifications to the proposed appointments were made.

Vice Mayor Enander moved that the Council accept the Mayor appointments, as modified. (outlined below)

Mayor Fligor: CUSD/City Subcommittee, LASD/City Subcommittee, MVLA/City Subcommittee COVID 19 City Subcommittee, CHAC, Association of Bay Area Governments (ABAG) Santa Clara County Cities Association Board, Santa Clara County Cities Association Selection Committee, Santa Clara County Cities Association Legislative Committee, North County Library Authority, Silicon Valley Clean Energy, Senior Commission, Library Commission, Alternate - Airport Roundtable

Vice Mayor Enander: Council Legislative Subcommittee, Open Government, Joint Community Volunteer Awards Committee, Alternate - Santa Clara County Cities Association, Alternate – Santa Clara County Cities Association Selection Committee, Alternate – Santa Clara County Cities Association Legislative Action Committee, Alternate - Santa Clara County Water Commission, Airport Roundtable, Financial Commission, Public Arts Commission, Design Review Commission

Council Member Sally Meadows: Youth Commission Interview, North County Library Authority COVID 19 City Subcommittee, Housing and Community Development Advisory Committee, Grand Blvd Task Force, LASD/City Subcommittee, Environmental Commission, Historical Commission, Parks and Recreation Commission, Alternate – Silicon Valley Clean Energy

Council Member Lynette Lee Eng: Youth Commission Interview, Santa Clara County Library District JPA, Alternate VTA State Route 85 Corridor, VTA Policy Advisory Committee, Santa Clara County Water Commission, Planning Commission

Council Member Jonathan Weinberg: Council Legislative Subcommittee, Open Government, Alternate VTA Policy Advisory Committee, VTA State Route 85 Corridor, Silicon Valley Regional Interoperability Authority (SVRIA), Santa Clara County Expressway Policy Advisory Board, CUSD/City Subcommittee, MVLA/City Subcommittee, Complete Streets Commission, Youth Commission

The motion was seconded by Council Member Weinberg and the motion passed 5-0 with the following roll call vote:

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

INFORMATIONAL ITEMS ONLY

- Tentative Council Calendar – No action

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

- Status Report From Council Ad Hoc Subcommittee Regarding Reporting Of City Financial Information

Council Member Enander provided a presentation on the matter and answered questions from the Council. There was consensus to place the recommendations on a future agenda for discussion and possible action.

Council Member Lee Eng requested that an item be placed on a future agenda that would provide the Council with information on the services provided to the City by the League of California Cities and the costs of those services to the City. Mayor Fligor offer to facilitate information on the matter.

Council Member Weinberg express interest in obtaining more information relative to the Housing Element and housing allocation numbers as assigned by HCD. Mayor Fligor reported that a study session is scheduled for the subject.

Council Member Meadows inquired about an addendum to the Community Center Loan to include the EOC. Acting City Manager and Mayor Fligor responded.

ADJOURNMENT

At 12:09 a.m., December 16, 2020, Mayor Fligor adjourned the meeting.

Neysa Fligor, MAYOR

Andrea M. Chelemengos MMC, CITY CLERK