



**MINUTES OF THE REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF LOS ALTOS
7:00 P.M., TUESDAY, FEBRUARY 23, 2021**

HELD VIA VIDEO/TELECONFERENCE

MEETING CALLED TO ORDER

At 7:21 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

PLEDGE OF ALLEGIANCE TO THE FLAG

Trinity Chen led the Council in the Pledge of Allegiance.

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 Kornfeld; Christopher Jordan; Pamela Jacobs, and Does 1-20*
United States District Court, Northern California District
Case number: 5:20-cv-03963-NC
3. Public Employment and Labor Negotiations: City Manager
Pursuant to Government Code Section 54957

Mayor Fligor reported that the City Council met in closed session prior to the meeting and had nothing to report.

SPECIAL ITEMS

- Proclamation In Recognition of Chinese New Year

Mayor Fligor commented on and presented the proclamation.

- Comprehensive Annual Financial Report – Fiscal Year Ending June 30, 2020

Deputy City Manager Maginot introduced the item and introduced, Richard Martinez, Financial Consultant from Eide Bailey and Grace Zhang, the City's Independent Auditor (Fiscal Year 19/20) from Maze and Associates. The two consultants provided a presentation to the Council and provided information relative to the matter.

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 commented: Keenan Moos (with time ceded from Moira Huang, Salim, and Rene Rashid), Renee Anderson, Freddie Wheeler, Kiyoshi, Jennifer Denebien, Susan Russell, Betty Schmitt, Katherine Yen, Aisha, Michelle Sturiale, Mike Abrams, Jen Aronowitz, Jeanine Valadez (with time ceded from Tania Khan, Rynette Au and Ludka), Karen Solpan, Ella Maluf, Christine, Cindy Sidaris, Sebastian Bribois, Rebecca Fallow, Tara Roussel, Maureen Griffith, Eva, Joe Beninato, Brigid M., Jill W., Katie Cheng, Seth D. Kyleigh Krames, Elaine Wong, Nancy Ellickson (with time ceded from Roberta Phillips), Toni Moos and Crysta Krames.

Mayor Fligor invited Council Members to make a statement in response to the public comment, if they wanted to, and that it should not be a discussion. She also added that Council Members can always request to make a statement even when she doesn't explicitly extend an invitation for them to do so.

Council Members Meadows and Weinberg commented.

CONSENT CALENDAR

1. Council Minutes: Approve the amended Minutes of the February 9, 2021 Regular Meeting
2. Construction Contract Award: Award the Base Bid for the Annual Street Striping Project to Chrisp Company and authorize the Interim City Manager to execute a contract in the amount of \$157,300.00 and up to a 15% contingency on behalf of the City.
3. Final Map Approval: Authorize the Interim City Manager to execute the Subdivision Improvement Agreement and approve the Parcel Map for 831 Arroyo Road
4. Final Map Approval: Authorize the Interim City Manager to execute the Subdivision Improvement Agreement and approve the Final Map for Tract Map #10553, 450 First Street
5. Ordinance No. 2021 -475 - Hillview Baseball Field Off-Leash Dog Pilot Program: Hold Second Reading and adopt, as read by title only, an ordinance to establishing an off-leash

dog pilot program located at the Hillview Baseball Field and making findings pursuant to CEQA that the ordinance is categorically exempt from environmental review. This pilot program allows dog owners to have their dogs off-leash during specific posted days and times.

Council Member Enander requested the amended minutes be further amended so the second paragraph on page six reads as follows: “Vice Mayor Enander stated that her presentation was in line with the agenda wording, and she provided her presentation based on the way she felt would be best possible way to approach a response from the City”.

Council Member Lee Eng stated that she had some corrections or clarifications for Item # 5 Ordinance No. 2021 -475 - Hillview Baseball Field Off-Leash Dog Pilot Program.

There was brief discussion between Council and staff. Recreation Director Legge provided clarification relative to questions raised by Council Member Lee Eng.

City Attorney Houston was asked to comment on concerns raised relative to Consent Calendar Item # 4 Final Map Approval: Final Map for Tract Map #10553, 450 First Street. City Attorney Houston provided information.

The following individuals commented on Consent Calendar Item #2. Construction Contract Award: Award the Base Bid for the Annual Street Striping Project to Chrisp Company and authorize the Interim City Manager to execute a contract in the amount of \$157,300.00 and up to a 15% contingency on behalf of the City: Premika, Hala, Danny H., Salim.

Mayor Fligor stated that she would like to remove Item # 2 and continue it to the March 9th meeting.

Council Member Lee Eng indicated that she did not want to delay Item #5 and was satisfied with the responses from staff with an amendment to Section 2. B of the Ordinance to begin – “Off Leash use shall be limited to the hours of 7 a.m. to 9 a.m....”

Vice Mayor Enander moved that the City Council approve Consent Calendar Items 1, as amended, 3, 4, and 5 as amended. 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

At 9:40 p.m., Mayor Fligor called for a brief recess. At 9:47 p.m., Mayor Fligor reconvened the meeting.

PUBLIC HEARINGS

6. 140 Lyell Street (VTM 19-003; DR 19-007)

Hold Public Hearing and approve, per the Planning Commission recommendation, a five-unit condominium project at 140 Lyell that includes permits from the City of Los Altos including but not limited to: a vesting tentative map and a design review approval permit. The City has determined that project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines.

Planning Services Manager, Persicone, provided a staff report and answered questions from the Council as did Community Development Director Biggs.

Samir Sharma, Applicant, provided information on the proposed development and answered questions from the Council.

Council Member Meadows disclosed that she had sat on the Planning Commission at the time a Study Session was held on the applications.

Council Member Lee Eng disclosed that she had spoken to some neighbors who had expressed concerns.

Mayor Fligor opened the Public Hearing. The following individuals commented: Richard Clark, Susan Russell, Mehruss Ahi, and Salim.

Since there was no one else wishing to speak, the applicant, Samir Sharma, was given an opportunity to make closing comments.

Mayor Fligor closed the public hearing.

Following Council discussion and staff responses, Mayor Fligor moved Council deem the project exempt from environmental review per Section 15332 of the California Environmental Quality Act as an in fill project; approve design review application DR 19-007, and Vesting Tentative Map application VTM 19-003, with the required density bonus findings, as amended, to reduce the height of the bonus density concession to 26 feet 6 inches, as agreed to by the applicant, which shall be incorporated in the conditions of approval and attached to the subject resolution; and direct staff to determine the feasibility of the Below Market Rate (BMR) unit to be a “very low” income unit and if staff determines that it is not feasible for the BMR the unit to be “very low” the BMR unit would revert to a “low” income unit which shall be included in the Affordable Housing Agreement. The motion was seconded by Council Member Meadows 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

DISCUSSION ITEMS

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

Deputy City Manager Maginot provided a very brief oral report.

8. Resolution No. 2021-08: Business License Payment Deadline Extension: Adopt Resolution No. 2021-08 authorizing the extension of the deadline to pay Business License Tax for 2021

Deputy City Manager Maginot provided a staff report and answered questions from the Council.

There were no members of the public wishing to speak.

Following Council discussion, Council Member Meadows moved to amend Resolution No. 2021-08 to authorize the extension of the deadline for businesses to pay Business License Tax for 2021 to September 30, 2021 and adopt the resolution, as amended. 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

9. Resolution No. 2021-09: City Council 2021 Goals: Adopt Resolution No. 2021-09 setting the City Council's 2021 Goals.

Interim City Manager Kilger introduced the matter. Debra Figone, Council Retreat Facilitator, and staff reviewed the proposed goals. Following review and Council discussion, Council Member Weinberg moved to adopt the resolution setting the 5-year Strategic Goals for 2021, as amended, and as follows:

1. **Housing**: The City of Los Altos will support the creation of housing that is diverse, equitable, and affordable for all income levels in the Community and support funding and legislation that will help the City to do so and also retain its flexibility in zoning decisions.
2. **Land Use**: The City of Los Altos will implement policies that support a land-use mix and density that reflect the values of the Community, including seeking to protect and increase its green space, while ensuring compliance with any applicable laws and regulations.
3. **Fiscal Sustainability**: The City of Los Altos will continue to be responsible financial stewards of its resources and assets to ensure long-term fiscal sustainability by practicing sound financial

management and fiscal transparency, while providing fiscally sustainable government services that address the needs of the community.

4. **Community Safety:** The City of Los Altos will continue to implement plans, strategies, and educational opportunities to ensure public safety, traffic safety, and emergency preparedness services are done in a responsive, equitable, professional, socially responsible, and trustworthy manner.
5. **Asset Management:** The City of Los Altos will set clear expectations and allocate the necessary funding to maintain and improve City facilities and infrastructure that are necessary to provide high-quality services for the well-being of residents.
6. **Environmental Sustainability:** The City of Los Altos will be a leader on environmental sustainability through education, and adopting and embracing policies, initiatives, and practices that advance this effort.
7. **Community Engagement:** The City of Los Altos will continue to improve its community engagement process to ensure all community members are heard, informed, and included.
8. **Transitioning Through Change:** The City Council will proactively address the impact of COVID-19 and other consequential changes on the community during 2020 and 2021 to ensure Los Altos successfully navigates these transitions to be an even stronger community.

The motion was seconded by Vice Mayor Enander and the motion passed 5-0 with the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

It was brought to the Mayor's attention that there were members of the public wishing to comment. Mayor Fligor stated that the Council would take comments following a short recess.

Mayor Fligor called for a recess at 12:19 a.m. Mayor Fligor reconvened the meeting at 12:24 a.m.

Mayor Fligor opened the floor for public comment. The following individuals commented: Ludka and Roberta Phillips. There was no one else wishing to speak.

Mayor Fligor inquired, given the public input, if any Council Member wished to reconsider the motion or their vote adopting the goals. No Council Members indicated an interest in reconsidering the motion or changing their vote.

10. Community Center Construction Monthly Update: Receive the staff presentation on the Community Center Construction Monthly Update

Engineering Services Director Sandoval and Project Manager Peter Masol provided information and answered questions from the Council.

No action was taken.

-
11. 330 Distel Circle: Receive update from staff on the 330 Distel Circle affordable housing project and if appropriate, direct staff to provide feedback on the process and project to the County.

Community Development Director Biggs provided an update, answered questions from the Council, and received feedback from the Council with regard to the project and the importance of early and continuous community engagement relative to this development.

City Attorney Houston reminded the Council that the project is subject to SB330 and would be processed accordingly.

Mayor Fligor called for public comments. There were no members of the public wishing to speak.

INFORMATIONAL ITEMS ONLY

- Tentative Council Calendar

There were no comments or action on this item.

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

The Council Members reported on attendance at and matters related to their various Commissions, Committees and Boards, as assigned.

Vice Mayor Enander stated that she and Council Member Weinberg, the Council Legislative Committee, would be meeting and bringing forward recommendations on pending legislation to the March 9th City Council meeting

Council Member Weinberg referred to a recent Parks and Recreation meeting and called into question the actions of Commissioner Corrigan relative to his participation and vote on a matter on which he may have had a conflict of interest and that he may have made a misrepresentation to the FPPC. Council Member Weinberg requested that the matter and a Council discussion of discipline or removal, per Section 4.04 of the Council Norms, be placed on a future agenda.

Council Member Weinberg stated that he has prepared a report on the matter and inquired how to present the information to the Council.

Mayor Fligor stated that she does not have enough information to support a Council discussion on discipline or removal of the Commissioner.

Council Member Meadows expressed support for the information to be presented to the Council.

Council Member Lee Eng stated that she did not support bringing a discussion of discipline of the Commissioner or his removal from the Commission at this time.

City Attorney Houston provided guidance.

Vice Mayor Enander indicated that she does not have enough information, at this time, to support an agenda item to discuss discipline or removal of the Commissioner.

Interim City Manager Kilger reported that staff and the City Attorney are gathering and validating information and reviewing the information on of the matter.

Mayor Fligor stated that before the matter is brought to the Council all relevant information on the matter should be gathered and then presented.

Council Member Lee Eng requested a future Council discussion item on the League of California Cities' representation of the City. Vice Mayor Enander stated that she would like the Council Legislative Committee to have an opportunity to review the matter of the LCC and possibility support Council Member Lee Eng request for placement of the mater on a future agenda. Council Member Lee Eng accepted Vice Mayor Enander suggestion.

ADJOURNMENT

At 1:22 a.m., Wednesday, February 24, 2021, Mayor Fligor adjourned the meeting.

Neysa Fligor, MAYOR

Andrea M. Chelemengos MMC, CITY CLERK