



## CITY COUNCIL MEETING

### AGENDA

TUESDAY, SEPTEMBER 21, 2021 – 7:00 P.M.

**Please Note: Per California Executive Order N-29-20, the City Council will meet via Telephone/Video Conference only.**

*Members of the Public may join and participate in the Council meeting at <https://webinar.ringcentral.com/j/1487251075>*

**TO PARTICIPATE VIA THE LINK ABOVE** - Members of the public will need to have a working microphone on their device and **must have the latest version of Ringcentral available at this link <http://www.ringcentral.com/download.html>**. To request to speak please use the “Raise hand” feature located at the bottom of the screen.

**TO PARTICIPATE VIA TELEPHONE** - Members of the public may also participate via telephone by calling 1-650-242-4929 (Meeting ID: 148-725-1075). Press \* 9 on your telephone to indicate a desire to speak.

Public testimony will be taken at the direction of the Mayor and members of the public may only comment during times allotted for public comments.

**TO SUBMIT WRITTEN COMMENTS**, prior to the meeting, on matters listed on the agenda email [PublicComment@losaltosca.gov](mailto:PublicComment@losaltosca.gov) with the subject line in the following format:

PUBLIC COMMENT AGENDA ITEM ## - MEETING DATE.

Emails sent to the above email address are sent to/received immediately by the City Council.

Correspondence submitted in hard copy/paper must be received by 2:00 p.m. on the day of the meeting to ensure it can be distributed prior to the meeting. Correspondence received prior to the meeting will be included in the public record.

[Please follow this link for more information on submitting written comments.](#)

**CALL MEETING TO ORDER**

**ESTABLISH QUORUM**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**REPORT ON CLOSED SESSION**

**CHANGES TO THE ORDER OF THE AGENDA**

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA** - Members of the audience may bring to the Council's attention any item that is not on the agenda. Speakers are generally given two or

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three minutes, at the discretion of the Mayor. Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during the Public Comment Period. According to State Law (also known as “the Brown Act”) items must first be noticed on the agenda before any discussion or action.

**CONSENT CALENDAR** - These items will be considered by one motion unless any member of the Council or audience wishes to remove an item for discussion. Any item removed from the Consent Calendar for discussion will be handled at the discretion of the Mayor.

1. City Council Minutes: Approve the Minutes of the September 14, 2021, Regular Meeting (A. Chelemengos)
2. Design Contract Award: CIPP Corrosion Rehabilitation, Project WW-01005: Authorize the City Manager to execute an agreement on behalf of the City with Freyer & Laureta, Inc. in the amount of \$151,100 to provide design and consulting services for the CIPP Corrosion Rehabilitation Project WW-01005(A. Trese)

### **PUBLIC HEARINGS**

3. City of Los Altos – Title 14, Zoning Amendment – Public Land Protection Ordinance  
Introduce and hold First Reading, as read by title only and waive further reading of An ordinance adding a Public Land Protection (PLP) overlay district to Title 14, Zoning, of the Los Altos Municipal Code that will provide for the protection of City owned property by requiring voter approval of the sale or transfer of title of any City-owned land to which the PLP overlay designation is applied and voter approval to remove the PLP designation once it has been applied. The proposed Ordinance relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is exempt from California Environmental Quality Act (“CEQA”) CEQA Guidelines Section 15061(b)(3), which states the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment” as the Ordinance has no potential to result in a direct, or reasonably foreseeable, indirect impact on the environment. (J. Biggs)

### **DISCUSSION ITEMS**

4. Update on American Rescue Plan Act Allocation: Accept the deposit of the entirety of American Rescue Plan Act dollars into the City’s General Fund as lost revenue replacement and provide direction on if any alternative uses should be considered using General Fund dollars (J. Maginot)
5. Extending The Off-Leash Pilot Program At The Hillview Baseball Field: Adopt Resolution No. 2021-50 extending the Off-Leash Pilot Program at the Hillview Baseball Field and making findings pursuant to CEQA that the Resolution is categorically exempt from Environmental Review (D. Legge)
6. In-Person City Council Meetings: Discuss logistics and protocol of In Person City Council Meetings (J. Maginot)
7. Council Legislative Subcommittee Update And Potential Council Action: Receive update from the City Council Legislative Subcommittee; discuss pending legislation including, but not limited to: AB 14, AB 68, SB 215, AB 339, AB 473, AB 682, AB 989,

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AB 1401, AB 1322; SB 4, SB 6, SB 9, SB 10, SB 15, SB 16, SB 278, SB 477, SB 478, SB 556, SB 612, SB 640, SB 785. (Vice Mayor Enander; Council Member Weinberg)

## INFORMATIONAL ITEMS ONLY

- Tentative Council Calendar

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

## ADJOURNMENT

(Council Norms: It will be the custom to have a recess at approximately 9:00 p.m. Prior to the recess, the Mayor shall announce whether any items will be carried over to the next meeting. The established hour after which no new items will be started is 11:00 p.m. Remaining items, however, may be considered by consensus of the Council.)

### SPECIAL NOTICES TO THE PUBLIC

In compliance with the Americans with Disabilities Act, the City of Los Altos will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk 72 hours prior to the meeting at (650) 947-2610.

Agendas Staff Reports and some associated documents for City Council items may be viewed on the Internet at <http://www.losaltosca.gov/citycouncil/online/index.html>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, and that are distributed to a majority of the legislative body, will be available for public inspection at the Office of the City Clerk's Office, City of Los Altos, located at One North San Antonio Road, Los Altos, California at the same time that the public records are distributed or made available to the legislative body. If you wish to provide written materials, please provide the City Clerk with **10 copies** of any document that you would like to submit to the City Council for the public record.



**MINUTES OF THE REGULAR MEETING OF  
THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
7:00 P.M., TUESDAY, SEPTEMBER 14, 2021**

**Held Via Video/Teleconference Per California Executive Order N-29-20.**

**MEETING CALLED TO ORDER**

At 7:00 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**

Kinsey Hasseltine, Girl Scout Troop 61081, led the Council in the Pledge.

**REPORT ON CLOSED SESSION**

Mayor Fligor reported that the Council held a closed session earlier in the evening and that there was no action taken and nothing to report.

Mayor Fligor called for a moment of silence in observation and honor of the 20-year anniversary of the September 11, 2001, attack upon our nation.

**SPECIAL PRESENTATION**

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

Emergency Preparedness Coordinator Hepenstal commented and read the proclamation aloud and thanked the Mayor and Council

- Presentation of Proclamation Declaring September 15 – October 15 as Hispanic Heritage Month

Mayor Fligor read aloud and presented the Proclamation.

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## **SPECIAL ITEM**

- A. Commission Appointments: Appoint individuals to fill vacancies on the Public Arts Commission, Library Commission, and Finance Commission.

Mayor Fligor introduced the item. Deputy City Manager Maginot providing voting method instructions and the Council proceeded to email their votes to Deputy City Manager Maginot. The meeting proceeded as the tally of the vote took place.

## **CHANGES TO THE ORDER OF THE AGENDA**

There were no changes.

## **SPECIAL ITEM** (Continued from earlier)

- A. Commission Appointments: Appoint individuals to fill vacancies on the Public Arts Commission, Library Commission, and Finance Commission.

Deputy City Manager reported that the Council had voted, via emailed ballots, to make the following appointments:

To the Public Arts Commission: Lucy Janjigian, partial term expiring September 2023, Janet Corrigan, Theresa Couture, Hilary King, and Jenna Moore to full terms expiring September 2025.

To the Library Commission: Pierre Bedard, Carolle Carter, Julie Crane to full terms expiring September 2025.

To the Financial Commission: Arthur Whipple, partial term expiring September 2023, John Claras, Gary Kalbach and Tony Richmond to full terms expiring September 2025.

The Mayor thanked the applicants and congratulated those appointed.

## **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

There were no public comments.

## **CONSENT CALENDAR**

1. City Council Minutes: Approve the Minutes of the August 24, 2021, Regular Meeting
2. Quarterly Investment Report: Receive Investment Portfolio Report through June 30, 2021
3. Design Contract Award: Structural Reach Replacement, Project WW-01002: Authorize the City Manager to execute an agreement on behalf of the City with Mott MacDonald Group in the not-to-exceed amount of \$186,368 to provide design and consulting services for the Structural Reach Replacement Project WW-01002

4. Resolution No. 2021-49: On-Call Sanitary Sewer Spot Repairs and CCTV Inspection Services: Adopt Resolution accepting completion of the On-Call Sanitary Sewer Spot Repairs and CCTV Inspection Services for FY20/21 and authorize the Engineering Services Director to record a Notice of Completion as required by law
5. Item Removed From The Agenda
6. Ordinance No. 2021-480 Floodplain Management: Adopt Ordinance No. 2021-480 An Ordinance of the City Council of the City Of Los Altos amending the City of Los Altos Municipal Code to repeal Chapter 12.60 Flood Hazard Area Regulations and to replace it with a new Chapter 12.60 entitled Floodplain Management; to adopt Flood Hazard Maps; and making findings that this ordinance is exempt under CEQA Guidelines Sections 15307 and 15308.
7. Ordinance 2021- 478 - ZTA 20-0003 - Zoning Text Amendments  
Adopt Ordinance No. 2021-478 amending Title 14 (Zoning) of the Los Altos Municipal Code to provide objective zoning standards for housing development projects. The proposed Ordinance relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is exempt from California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15061(b)(3), which states the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment” as the Ordinance has no potential to result in a direct, or reasonably foreseeable, indirect impact on the environment.
8. Resolution No. 2021- 48 Redwood Grove Connector Trail from Los Altos Hills Approve  
Resolution No. 2021-48 expressing support for the exploration of a formal pathway trail connection between Redwood Grove Nature Preserve and Fremont Road in Los Altos Hills and directing the City Manager to work with Los Altos Hills staff and the Parks and Recreation Commission to return to the City Council with recommendations on the project.
9. City Council Norms and Procedures: Adopt updated City Council Norms and Procedures for the City of Los Altos

Council Member Lee Eng requested that Consent Calendar Items #8 *Resolution No. 2021- 48 Redwood Grove Connector Trail from Los Altos Hills* and #9 *City Council Norms and Procedures* be removed from the Consent Calendar.

There were no members of the public wishing to comment on the Consent Calendar.

Mayor Fligor stated that Items #8 and #9 would be heard, respectively, following Item #10.

Vice Mayor Enander moved to approve the Consent Calendar Items 1-4, 6 and 7. The motion was seconded by Mayor Fligor 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

Deputy City Manager replied to Council questions and gave background relative to Consent Calendar Item # 2.

## **PUBLIC HEARINGS – None**

## **DISCUSSION ITEMS**

10. Ordinance No. 2021-481 Firearm Safe Storage Ordinance – Introduce, as read by title only, and waive further reading of an ordinance of the City Council of the City of Los Altos amending the Los Altos Municipal Code by adding a new Chapter 7.29 entitled “Safe Storage of Firearms” in the City of Los Altos and making findings pursuant to California Environmental Quality Act that this ordinance is categorically exempt from environmental review.

Captain Krauss provided a report and answered questions from the Council.

The following individuals provided public comment: Susie MacLean, Rene Rashid, Jeanine Valadez, Pete Dailey, and Brian Jones.

Following brief Council discussion, Council Member Weinberg moved to Introduce, as read by title only, and waive further reading of the ordinance of the City Council of the City of Los Altos amending the Los Altos Municipal Code by adding a new Chapter 7.29 entitled “Safe Storage of Firearms” in the City of Los Altos and making findings pursuant to California Environmental Quality Act that this ordinance is categorically exempt from environmental review. 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

8. Resolution No. 2021- 48 Redwood Grove Connector Trail from Los Altos Hills Approve Resolution No. 2021-48 expressing support for the exploration of a formal pathway trail connection between Redwood Grove Nature Preserve and Fremont Road in Los Altos Hills and directing the City Manager to work with Los Altos Hills staff and the Parks and Recreation Commission to return to the City Council with recommendations on the project.

Engineering Services Manager Sandoval, Special Projects Manager Dave Brees and City Manager Engeland answered questions from the Council.

The following members of the public commented: Ginger Summit, Kavita Tankha, Roberta Phillips, Robert Elson, and Jeanine Valdez.

Following discussion, Mayor Fligor moved to Adopt Resolution No. 2021-48 expressing support for the exploration of a formal pathway trail connection between Redwood Grove Nature Preserve and Fremont Road in Los Altos Hills and direct the City Manager to work with Los Altos Hills staff and the Parks and Recreation Commission, or any other Commissions, if deemed necessary, and return to the City Council with recommendations on the project. The motion passed 4-1 with the following roll call vote:

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

9. City Council Norms and Procedures: Adopt updated City Council Norms and Procedures for the City of Los Altos

City Attorney Houston introduced the item and noted that the references made in Sections 8.11 and 9.2 to Section 1.5 should be corrected to reference Section 14, clarified language of Section 8.3, and discussed the provisions Section 10.9.

Council Member Lee Eng inquired about development of process to allow all Council Members equal opportunity to trainings and other opportunities afforded to elected officials. In addition, the Council Member noted several typographical errors to be submitted to staff and corrected.

Council Member Weinberg, with the permission of Mayor Fligor presented a proposed change to Section 6.8

Mayor Fligor opened the floor for public comment. The following individuals commented: Roberta Phillips, Joe Beninato, Salim, Jeanine Valadez, and Renee Rashid.

At 9:00 p.m., Mayor Fligor called for a brief recess. The meeting was reconvened at 9:10 p.m.

Council discussion commenced that included the aforementioned sections to be corrected, modification of language in Section 8.3, replacement of the word “will” with the word “may” in Section 4.1., replacement of pronouns he or she with he/she/they, incorporation of and modification of the language proposed by Council Member Weinberg for Section 6.8 ii.

Council Member Weinberg moved to adopt the proposed Council Norms and Procedures, as amended at the meeting including the typographical errors to be provided by Council Member Lee Eng, replacement of he/she with he/she/they and that Section 6.8 be replaced with the language discussed at the meeting. The motion was seconded by Council Member Meadows and the motion passed 4-1 with the following roll call vote:

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



11. Formation of a City Council Friends of the Library Subcommittee: Discuss and determine whether to form a City Council Friends of the Library Subcommittee; discuss and determine the role and scope of such subcommittee and appoint two City Council Members to serve on the subcommittee

Mayor Fligor introduced the item. Vice Mayor Enander and Council Member Weinberg commented on the matter and began the Council discussion.

Following Council discussion, Council Member Weinberg moved that the Council table this matter indefinitely. The motion was seconded by Vice Mayor Enander. The motion passed 5-0 with following roll call vote:

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

12. Council Legislative Subcommittee Update And Potential Council Action: Receive update from the City Council Legislative Subcommittee; discuss pending legislation including, but not limited to: AB 14, AB 68, SB 215, AB 339, AB 473, AB 682, AB 989, AB 1401, AB 1322; SB 4, SB 6, SB 9, SB 10, SB 15, SB 16, SB 278, SB 477, SB 478, SB 556, SB 612, SB 640, SB 785.

An oral update on the status of pending legislation was provided, but no action taken.

#### **INFORMATIONAL ITEMS ONLY**

- Tentative Council Calendar

No comments/No action taken.

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

Mayor Fligor, with support from Vice Mayor Enander, requested placement of a discussion item on a future agenda relative to the formation of a Council subcommittee to work with the City Manager to develop a Summer Intern Program for 2022.

Council Member Weinberg, with the support of the entire Council, requested placement of an agenda item to consider extension of the Hillview Park Off-Leash Pilot Program.

Council Member Lee Eng, with support from Vice Mayor Enander, requested that an item be placed on a future Council agenda to discuss the aspects of the City's anti-bias training for City officials including its content, possible expansion of the content, the format, the resources that will be provided/available to those taking the training and the expected outcome of the anti-bias training.

City Manager Engeland addressed questions having to do with scheduling of budget updates.

**ADJOURNMENT**

At 10:53 p.m., Mayor Fligor adjourned the meeting.

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Neysa Fligor, MAYOR

ATTEST:

\_\_\_\_\_  
Andrea M. Chelemengos MMC, CITY CLERK

DRAFT



**CONSENT CALENDAR**

**Agenda Item # 2**

**AGENDA REPORT SUMMARY**

**Meeting Date:** September 21, 2021

**Subject:** Design Contract Award: CIPP Corrosion Rehabilitation, Project WW-01005

**Prepared by:** Andrea Trese, Associate Civil Engineer

**Reviewed by:** Aida Fairman, Engineering Services Manager  
James Sandoval, Engineering Services Director

**Approved by:** Gabriel Engeland, City Manager

**Attachment:**

1. Consultant's Proposal

**Initiated by:**

Capital Improvement Plan - Project WW-01005

**Previous Council Consideration:**

None

**Fiscal Impact:**

\$151,100 (For FY 2021-2022, \$465,000 has been allocated to this Project Budget.)

**Environmental Review:**

Categorically Exempt pursuant to CEQA Section 15301 (b) consisting of the repair and maintenance or minor alteration of existing sewerage publicly-owned sewerage facilities involving negligible or no expansion of existing or former use.

**Policy Question(s) for Council Consideration:**

None

**Summary:**

- The CIPP Corrosion Rehabilitation Project WW-01005 will consist of lining four sewer main segments on El Camino Real as identified in the Sanitary Sewer Master Plan

**Staff Recommendation:**

Authorize the City Manager to execute an agreement on behalf of the City with Freyer & Laureta, Inc. in the amount of \$151,100 to provide design and consulting services for the CIPP Corrosion Rehabilitation Project WW-01005

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**Reviewed By:**

City Manager

*GE*

City Attorney

*JH*

Finance Director

*GE*

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**Subject:** Design Contract Award: CIPP Corrosion Rehabilitation, Project WW-01005

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**Purpose**

Execute an agreement for design and consulting services for the CIPP Corrosion Rehabilitation Project WW-01005.

**Background**

The 2013 Sanitary Sewer Master Plan Update recommended rehabilitation of segments of pipe at various locations throughout the City. This project consists of lining four trunk sewer main segments located on El Camino Real. These four lines range in size from 27 to 30 inches in diameter and would be rehabilitated using the trenchless method of Cured-In-Place Pipe (CIPP) lining.

**Discussion/Analysis**

It is recommended that the award of the design contract be made to Freyer & Laureta, Inc. in the amount of \$151,100. Through the Request for Statements of Qualifications (SOQ) process, the City previously created a shortlist of firms for design and construction support services for sanitary sewer projects. Freyer & Laureta, Inc. was selected from the City's shortlist of firms to submit a proposal for this project. Freyer & Laureta, Inc. has been in business for over 20 years and has satisfactorily completed similar projects for the City of Los Altos and other municipalities in the Bay Area.

**Options**

- 1) Authorize the City Manager to execute the agreement with Freyer & Laureta, Inc. for design and construction support services for the CIPP Corrosion Rehabilitation Project WW-01005.

**Advantages:** Completion of the CIPP Corrosion Rehabilitation Project provides necessary repairs of the City's sanitary sewer system to ensure its proper functioning.

**Disadvantages:** None

- 2) Do not authorize the City Manager to execute the agreement with Freyer & Laureta, Inc.

**Advantages:** None

**Disadvantages:** Rehabilitation of the sanitary sewer segments would be delayed.

**Recommendation**

The staff recommends Option 1.



CIVIL ENGINEERS • SURVEYORS • CONSTRUCTION MANAGERS

REVISED - July 16, 2021

Andrea Trese, P.E.  
 Associate Civil Engineer  
 Department of Public Works  
 City of Los Altos  
 One North San Antonio Road  
 Los Altos, California 94022-3087

**RE: Response to Request for Proposals**  
**CIPP Corrosion Rehabilitation, Project WW0100521**  
 City of Los Altos, California

Dear Ms. Trese:

Freyer & Laureta, Inc. (F&L) is pleased to submit this Proposal in response to the Request for Proposal (RFP) for design services for the Cured-in-Place Pipe (CIPP) Corrosion Rehabilitation, Project WW-0100521 issued by the City of Los Altos dated May 17, 2021. The project includes CIPP repair for portions of the existing 27-inch sanitary sewer main on El Camino Real.

### PROJECT DESCRIPTION

The RFP identified the following portions of the City of Los Altos' (City's) sanitary sewer collection system to be repaired using CIPP:

Street Name	Sewer Segment	Existing Diameter (inch)	Existing Pipe Material	Pipe Length (feet)
El Camino Real	B3S-505 to B3S-508	27	Reinforced Concrete	281
El Camino Real	B2S-313 to A2S-504	27	Reinforced Concrete	490
El Camino Real	A2S-504 to A2S-503	27	Reinforced Concrete	143
El Camino Real	A2S-503 to A2S-501	27	Reinforced Concrete	163

San Francisco Office:  
 150 Executive Park Blvd, Suite 4200  
 San Francisco, CA 94134  
 Tel: (415) 534-7070  
[www.freyerlaureta.com](http://www.freyerlaureta.com)

San Mateo Office:  
 144 North San Mateo Drive  
 San Mateo, CA 94401  
 Tel: (650) 344-9901

Oakland Office:  
 825 Washington Street, Suite 237  
 Oakland, CA 94127  
 Tel: (510) 937-2310

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Portions of the project limits are adjacent to the City of Mountain View (Mountain View) city limits and will likely require the future construction contractor to secure an encroachment permit from Mountain View. In addition, El Camino Real is a State Highway and work within El Camino Real will require an encroachment permit from the State of California Department of Transportation (CalTrans). Finally, F&L anticipates that the portion of the project near 4470 El Camino Real is adjacent and may potentially cross an existing easement or right of way of the San Francisco Public Utility Commission's (SFPUC's) Hetch Hetchy System potentially requiring SFPUC Project Review approval.

Up to three Valley Transportation Authority (VTA) bus stops exist within the Project limits. F&L will identify potential impacts to VTA bus stops from the sanitary sewer bypass pumping work. F&L will identify potential sanitary sewer bypass configurations that may avoid impacts to the VTA bus stops.

## SCOPE OF WORK

The scope of work presented below is based on the outline provided in the RFP and indicates the anticipated deliverables for each task.

### Task I: 65% Design Submittal

The development of the 65% design will include a topographic survey, review of the City provided closed circuit television (CCTV) to determine if any spot repairs may be required, develop suggested construction hours, and present F&L's initial opinion of probable cost.

### *Field Meeting*

F&L will meet with City staff in the field to review the project segments. The goal of the field meeting will be to review the existing conditions, identify the manholes for the segments to be lined, and identify the manholes that will be utilized for the sanitary sewer bypass that is required to facilitate the CIPP work.

### *Topographic Survey*

F&L will perform a topographic survey of the project areas shown in red in Attachment 1 to this proposal. The survey will be conducted as follows:

- Perform field topographic surveys of the sewer mains to lined and 20-feet on each side of the centerline of the sewer mains to capture visible improvements, driveways and utilities, including existing U.S.A. markings within street right of ways. The limit of work within street right of ways will be the back of sidewalk. Where no sidewalk exists, limit of work will be 5-feet from edge of pavement. Horizontal control and vertical control will be based on City Benchmarks.

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- Inverts, pipe sizes and direction of flow will be collected for sanitary sewer and storm drain lines (if any) within the limits of work.
- Easements, if any, shown on recorded maps of the area will be shown on the survey map.
- All visible clean outs will be located.
- Utility research will be performed and approximate utility locations interpreted from utility company system drawings will be drawn onto the survey base.
- Survey information will be translated to AutoCAD drawings for use in the pre-design and construction document preparation efforts.

### *Utility Potholing*

F&L anticipates that portions of the sanitary sewer bypass may be required to be installed in a shallow trench to avoid impacts to major intersection, VTA bus stops, and driveway crossings. The exact number of utility potholes will be identified after F&L receives and reviews existing utility information from City and third party utility owners. F&L has included an allowance for up to two days of utility potholing.

Utility potholing is anticipated to occur within the CalTrans right of way and therefore an encroachment permit will be required. F&L will engage a utility potholing subcontractor to secure the CalTrans encroachment permit, prepare traffic control plan, and perform the utility potholing.

### *Basis of Design Report including 65% Submittal*

The Basis of Design Report (Report) will include the following information:

- Present the results of F&L's review of City provided closed circuit television (CCTV) of the portions of trunk sewer to be lined with CIPP including identifying required point repairs, if any;
- Develop proposed limits of work for the contractor including suggested minimum staging areas available for the CIPP equipment including trailer and boiler used for the work;
- Develop preliminary construction schedule including potential construction sequencing plan;
- Prepare estimates for sanitary sewer bypass flow rates based on available flow data provided by the City and/or the Palo Alto Water Quality Control Plant;
- Identify limits of project area located adjacent to Mountain View right of way that may require a separate review and encroachment permit;
- Identify limits of project area located within the CalTrans right of way that will require a separate review and encroachment permit;
- Identify limits of the project area located within or adjacent to the SFPUC easement or right of way that may require a separate review;
- Identify potential impacts to Valley Transportation Authority (VTA) bus stops.

Ms. Andrea Trese, P.E. (City of Los Altos)

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- Present 65% plan drawings;
- Present technical specifications formatted consistent with the City's Front End Contract Specifications and General Conditions.; and
- Present opinion of probable cost.

Following submittal of the BOD including the 65% Design, F&L will prepare for and chair a technical design workshop with City staff. The purpose of the workshop is to provide an opportunity for the design team and the City to review the project design details, discuss approach, respond to questions and comments, and develop a strategy for completing the next submittal.

As part of the 65% Design BOD, F&L work within the City to determine whether SFPUC Project review will be required. Based on F&L's experience, any excavation work within the SFPUC right of way or easements typically requires SFPUC to provide review and approval including issuance of an encroachment permit. F&L will review with the City the approximate location of the SFPUC easement or right of way and identify the potential work that may require SFPUC review. If desired by the City, F&L will submit the 65% design submittal to the SFPUC Project Review process for review. F&L will also attend one SFPUC Project Review meeting to present the project to the SFPUC.

F&L will also provide the 65% Design submittal to CalTrans. F&L will coordinate with CalTrans to solicit comments, if any, to incorporate into the final Bid Documents described in Task III including highlighting the required encroachment permit application process that will be completed by the City's future construction contractor.

#### *Deliverables*

- Field Meeting Notes
- Topographic map in PDF format. One hardcopy can be provided upon request.
- Utility Pothole Report.
- Two full size (22x34) sets of plans.
- Four half size (11x17) sets of plans.
- Four sets of project specifications.
- Four sets of the Basis of Design Report including the Opinion of Probable Cost.
- SFPUC Project Review Submittal including attendance at one Project Review Meeting.
- Preliminary submittal to CalTrans to initiate the encroachment permit process.
- 65% Design Technical Review Workshop meeting agenda and minutes including response to comments in PDF format.

#### Task II: 100% Design Submittal

Following the 65% Design Technical Review Workshop, F&L will proceed with preparation of the 100% design submittal. Our effort for this task will be to develop additional details as well as to provide drawings and technical specifications suitable for public bidding. The



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100% Submittal will include the final Basis of Design Report that includes any necessary supporting design calculations. F&L's intent for the 100% submittal is that the drawings and technical specifications would be suitable for bidding.

As part of the 100% submittal, F&L will utilize City provide Front End Contract Specifications and General Conditions to prepare the final draft submittal. F&L will identify information in the Front End Contract Specifications and General Conditions that requires City direction such as bid dates, contact names, and other contract related information that is not part of the technical specifications.

Similar to the 65% design submittal effort, F&L will organize and chair a technical design review workshop to facilitate the review and discussion of the 100% submittal. The 100% technical design review workshop will also allow the City and F&L to finalize the bid item schedule.

F&L will provide the 100% Design submittal to Mountain View. F&L will coordinate with Mountain View to solicit comments, if any, to incorporate into the final Bid Documents described in Task III including highlighting the required encroachment permit application process that will be completed by the City's future construction contractor. F&L will also coordinate with VTA if any bus stops within the Project limits will be temporarily impacted by the construction work and require temporary relocation.

#### *Deliverables*

- Two full size (22x34) sets of plans.
- Four half size (11x17) sets of plans.
- Four sets of project specifications including Front End Contract Specifications and General Conditions.
- Four sets of the Basis of Design Report.
- One copy of the Opinion of Probable Cost.
- 100% Design Technical Review Workshop meeting agenda and minutes including response to comments in PDF format.
- Preliminary submittal to the Mountain View to initiate the encroachment permit process.

#### Task III: Final Design Submittal

Following the 100% Design Technical Review Workshop, F&L will prepare final drawings and technical specifications that will be signed and stamped by a California Professional Engineer. F&L will also incorporate comments, if any, provided by Mountain View and CalTrans. F&L will continue coordination with SFPUC, as required, and incorporate any comments into the Final Design submittal.

#### *Deliverables*

- One full size (22x34) reproducible bond hard copy wet signed and stamped.

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- One half size (11x17) reproducible bond hard copy wet signed and stamped.
- Drawings in AutoCAD Map 3D 2017 compatible electronic format.
- One hard copy technical specifications wet signed and stamped.
- Technical specifications in PDF and MS Word 2010 compatible electronic format.
- Final Opinion of Probable Cost.
- List of required contractor submittals

#### Task IV: Bidding Phase

F&L will assist the City in responding to contractor questions and requests for clarification regarding the design and/or Construction Documents. Electronic copies of all responses to contractor questions and requests for clarification will be provided to the City. If necessary, an addendum will be prepared including one draft for City review.

#### *Deliverables*

- Response to bidder questions in PDF format.
- One addendum including one draft for City review in PDF format. No hard copies will be provided

#### Task V: Construction Phase

Construction services will be provided to assist the City in obtaining construction work that is in substantial conformance with the contract documents. Services will include the following:

- Review Submittals: Review shop drawing and submittals to provide written comments on all reviewed submittals utilizing F&L's standard submittal review letter.
- Prepare Response to Requests for Information: Respond to requests for information (RFIs) utilizing F&L's standard RFI response memorandum format.
- Provide Clarifications: Prepare letters of clarification, as required, to confirm the design intent of the Contract Documents. A draft letter will be submitted to the City for review and comment prior to issuing the final clarification for distribution to the City's selected construction contractor.
- Site Visits: Perform up to two site visits to review progress. The purpose of the site visits is to review the construction contractor's general conformance with Contract Documents while the City will be responsible for daily inspection services. Our staff will prepare daily reports for each site visit.
- Construction Meetings: In conjunction with Site Visits, attend construction coordination meetings as requested by the City.
- Record Drawings: Prepare record drawings based on contractor redlines.

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### *Deliverables*

- Electronic copies in PDF format of all submittal review letters, Response to RFIs, clarification letters, and daily reports.
- Draft Record Drawings
- Final Record Drawings

### Assumptions

The Scope of Work presented above is based on the following assumptions:

- Geotechnical investigation is not required.
- City will coordinate internal department review of all submittals.
- City will print Bid Documents for advertising.
- City will provide availability utility information for City owned utilities including any as-built information.
- City will provide copies of available sewer log and closed circuit television (CCTV) inspections at the project kickoff meeting.
- City will provide template for the Front End Contract Specifications and General Provisions.
- Permit fees will be paid by others.
- Boundary survey is not included.
- No more than two days of utility potholing will be required.

## **SCHEDULE**

F&L will provide the Scope of Services described above within the time frames identified in the RFP. A GANTT format schedule is included as Attachment 2 to this proposal.

## **COMPENSATION**

F&L proposes to provide the Scope of Services on a time and materials basis in accordance with our Charge Rate Schedule dated January 1, 2021. Table 1 attached to this proposal presents the estimate level of effort by task including identification of hours by staff classification.

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Please contact me at (650) 619-3226 or [tarantino@freyerlaureta.com](mailto:tarantino@freyerlaureta.com) to further discuss any questions or comments.

Sincerely,

**FREYER & LAURETA, INC.**

A handwritten signature in black ink, appearing to read 'Jeffrey J. Tarantino', enclosed within a hand-drawn oval.

Jeffrey J. Tarantino, P.E.

Vice President

Cc: Jason Feudale (Freyer & Laureta, Inc.)

Attachments

1. Table 1 – Estimated Budget for Engineering Design Services
2. Freyer & Laureta, Inc. Charge Rate Schedule dated January 1, 2021
3. Attachment 1 – Survey Limits
4. Attachment 2 – Project Schedule

**TABLE 1**  
**ESTIMATED BUDGET FOR ENGINEERING DESIGN SERVICES**  
**CIPP Corrosion Rehabilitation (Project WW0100521)**  
 City of Los Altos, California

TASKS	ESTIMATED LABOR (Hours)					TOTAL LABOR COST (\$)	EXPENSES AND ADMINISTRATION				ESTIMATED COST	
	Personnel & Rates (\$/hr)						UNIT	QNTY	UNIT COST (\$)	10% MARKUP (\$)	TOTAL COST PER ITEM (\$)	SUB TOTALS (\$)
	Administrative	2-Man Survey Crew	Staff Engineer II	Associate Engineer	Principal							
	90	350	135	170	235							
<b>Task I - 65% Submittal</b>												
Topographic Survey												
Field Survey		80				\$28,000					\$28,000	
Existing utility research			24	4		\$3,920					\$3,920	
Process Field Data and Prepare Topographic Map			40	8		\$6,760					\$6,760	
Internal Review					4	\$940					\$940	
Utility Potholing												
Potholing Subcontractor (Allowance)							ls	1	\$18,000	\$1,800	\$19,800	
Prepare and submit CalTrans encroachment permit for potholing			8	2	1	\$1,655	ls	1	\$1,000	\$100	\$2,755	
Coordinate field work			4			\$540					\$540	
Review pothole report			4	2	1	\$1,115					\$1,115	
Update base map			8	2	1	\$1,655					\$1,655	
Basis of Design Report												
Review City provided CCTV			4	1		\$710					\$710	
Develop construction sequencing discussion			16	8		\$3,520					\$3,520	
Finalize design criteria for CIPP liner and manhole repair (if required)			8	4		\$1,760					\$1,760	
Prepare preliminary sanitary sewer bypass layout			8	4		\$1,760					\$1,760	
Prepare draft report			24	4		\$3,920					\$3,920	
Internal Review					2	\$470					\$470	
Prepare submittal to City	1		2	1		\$530					\$530	
Coordinate with SFPUC including one Project Review Meeting			8	4	2	\$2,230					\$2,230	
65% Design Submittal												
Prepare 65% Submittal Drawings			40	8		\$6,760					\$6,760	
Prepare 65% Submittal Technical Specifications			24	8		\$4,600					\$4,600	
Prepare Opinion of Probable Cost			8	4		\$1,760					\$1,760	
Internal Review					4	\$940					\$940	
Prepare 65% Submittal	2		8	2		\$1,600	ls	1	\$500	\$50	\$2,150	
Prepare for and facilitate 65% Design Review Workshop					2	\$810					\$810	
Subtotal Labor Hours - Task I	3	80	238	68	17	\$75,955						\$97,400
									Estimated Cost - Task I			\$97,400

**TABLE 1**  
**ESTIMATED BUDGET FOR ENGINEERING DESIGN SERVICES**  
**CIPP Corrosion Rehabilitation (Project WW0100521)**  
 City of Los Altos, California

TASKS	ESTIMATED LABOR (Hours)					TOTAL LABOR COST (\$)	EXPENSES AND ADMINISTRATION				ESTIMATED COST		
	Personnel & Rates (\$/hr)						UNIT	QNTY	UNIT COST (\$)	10% MARKUP (\$)	TOTAL COST PER ITEM (\$)	SUB TOTALS (\$)	
	Administrative	2-Man Survey Crew	Staff Engineer II	Associate Engineer	Principal								
	90	350	135	170	235								
<b>Task II: 100% Design Submittal of Construction Documents</b>													
Prepare 100% Submittal Drawings			40	8		\$6,760					\$6,760		
Prepare 100% Submittal Technical Specifications			24	8		\$4,600					\$4,600		
Prepare 100% Submittal Front End Contract Documents and General Requirements			24	8		\$4,600					\$4,600		
Prepare Updated Opinion of Probable Cost			4	2		\$880					\$880		
Internal Review					2	\$470					\$470		
Prepare 100% Submittal	2		8	2		\$1,600	ls	1	\$500	\$50	\$2,150		
Coordinate with Mountain View			8	8		\$2,440					\$2,440		
Coordinate with CalTrans			8	8		\$2,440					\$2,440		
Prepare for and facilitate 100% Design Review Workshop			2	2		\$810					\$810		
Subtotal Labor Hours - Task II	2		116	46	4	<b>\$24,600</b>					<b>Estimated Cost - Task II</b>		<b>\$25,200</b>
<b>Task III: Final Design Submittal of Construction Documents</b>													
Prepare Final Submittal Drawings			24	8		\$4,600					\$4,600		
Prepare Final Submittal Front End and Technical Specifications			20	8		\$4,060					\$4,060		
Prepare Final Opinion of Probable Cost				2		\$340					\$340		
Internal Review					1	\$235					\$235		
Prepare Final Submittal	2		2	2		\$790					\$790		
Subtotal Labor Hours - Task III	2		46	20	1	<b>\$10,025</b>					<b>Estimated Cost - Task III</b>		<b>\$10,000</b>
<b>Task IV- Bidding Phase</b>													
Prepare one addendum			8	2		\$1,420					\$1,420		
Internal Review					1	\$235					\$235		
Allowance for technical support				4	4	\$1,620					\$1,620		
Subtotal Labor Hours - Task IV			8	6	5	<b>\$3,275</b>					<b>Estimated Cost - Task IV</b>		<b>\$3,300</b>

**TABLE 1**  
**ESTIMATED BUDGET FOR ENGINEERING DESIGN SERVICES**  
**CIPP Corrosion Rehabilitation (Project WW0100521)**  
 City of Los Altos, California

TASKS	ESTIMATED LABOR (Hours)					TOTAL LABOR COST (\$)	EXPENSES AND ADMINISTRATION				ESTIMATED COST	
	Personnel & Rates (\$/hr)						UNIT	QNTY	UNIT COST (\$)	10% MARKUP (\$)	TOTAL COST PER ITEM (\$)	SUB TOTALS (\$)
	Administrative	2-Man Survey Crew	Staff Engineer II	Associate Engineer	Principal							
	90	350	135	170	235							
<b>Task V - Construction Phase</b>												
Prepare Responses to Requests for Information												
Assume 5 RFIs, 2 hour per RFI plus management			10	4		\$2,030				\$2,030		
Internal Review				4		\$940				\$940		
Review submittals												
Assume 10 submittals and no resubmittals, 2 hours per submittal plus management			20	8		\$4,060				\$4,060		
Internal Review				4		\$940				\$940		
Prepare Clarifications												
Assume 2 clarifications, 4 hour per clarification plus management			8	4		\$1,760				\$1,760		
Internal Review				2		\$470				\$470		
Perform two site visit (3 hours per site visit including travel time)			6			\$810	mi	80	\$0.55	\$4	\$858	
Project Closeout (Allowance)			4	4	2	\$1,690					\$1,690	
Prepare Record Drawings												
Prepare Draft Record Drawings			8	2		\$1,420					\$1,420	
Prepare Final Record Drawings incorporating comments			2	2		\$610					\$610	
Internal Review				2		\$470					\$470	
Subtotal Labor Hours - Task V			58	24	14	\$15,200					Estimated Cost - Task V	\$15,200
<b>Total Labor Hours</b>	<b>7</b>	<b>80</b>	<b>466</b>	<b>164</b>	<b>41</b>	<b>\$129,055</b>	<b>Total Estimated Cost</b>				<b>\$151,100</b>	



## CHARGE RATE SCHEDULE

*Effective 1/1/21*

**Professional and technical services** of Freyer & Laureta, Inc. Staff are provided on a fixed fee or an hourly rate basis as follows:

### FIXED FEE

Where a definitive scope of work can be established, many of our clients prefer that a specific fee be agreed upon in advance. Billings are submitted monthly based upon percent complete as of the last accounting day of the month.

### HOURLY RATE

Applicable to Plan Preparation, Design and Report services where the scope of work must remain open. Freyer & Laureta, Inc. utilizes the following hourly charge rate basis for billing purposes.

Production Aide - Clerical	\$ 90.00
Drafter I - Technical Typist - Survey Tech II	\$ 95.00
Drafter II - Word Processor	\$100.00
Engineering Tech I - Drafter III	\$ 110.00
Staff Engineer I - Engineering Tech II - Survey Tech III	\$ 130.00
Staff Engineer II - Engineering Tech III - Survey Tech IV	\$ 135.00
Staff Engineer III - Senior Engineering Tech	\$ 140.00
Staff Engineer IV - Survey Tech V – Construction Inspector	\$ 155.00
Associate Engineer - Associate Surveyor (L.L.S.)	\$ 170.00
Senior Engineer - Construction Manager	\$ 180.00
Senior Construction Inspector	\$ 180.00
Project Manager – Principal Surveyor (L.L.S.)	\$ 195.00
Senior Project Manager – Principal Surveyor (L.L.S)	\$ 210.00
Associate Principal	\$ 220.00
Principal	\$ 235.00
Forensic Engineering	\$ 330.00
Deposition and Court Appearance	\$ 415.00

Subconsultant, Reproduction, Printing, Travel, Mailing and Delivery - Cost plus 10%

**Interest Charge** - Billings are due and payable within 30 days. A monthly interest charge equal to the Federal Discount Rate plus 5% will be applied on the next billing beyond the 30-day payment period.

The foregoing Charge Rate Schedule is incorporated into the Agreement for the Services of Freyer & Laureta, Inc. and may be updated annually.



ATTACHMENT 1  
SURVEY LIMITS

Area of survey

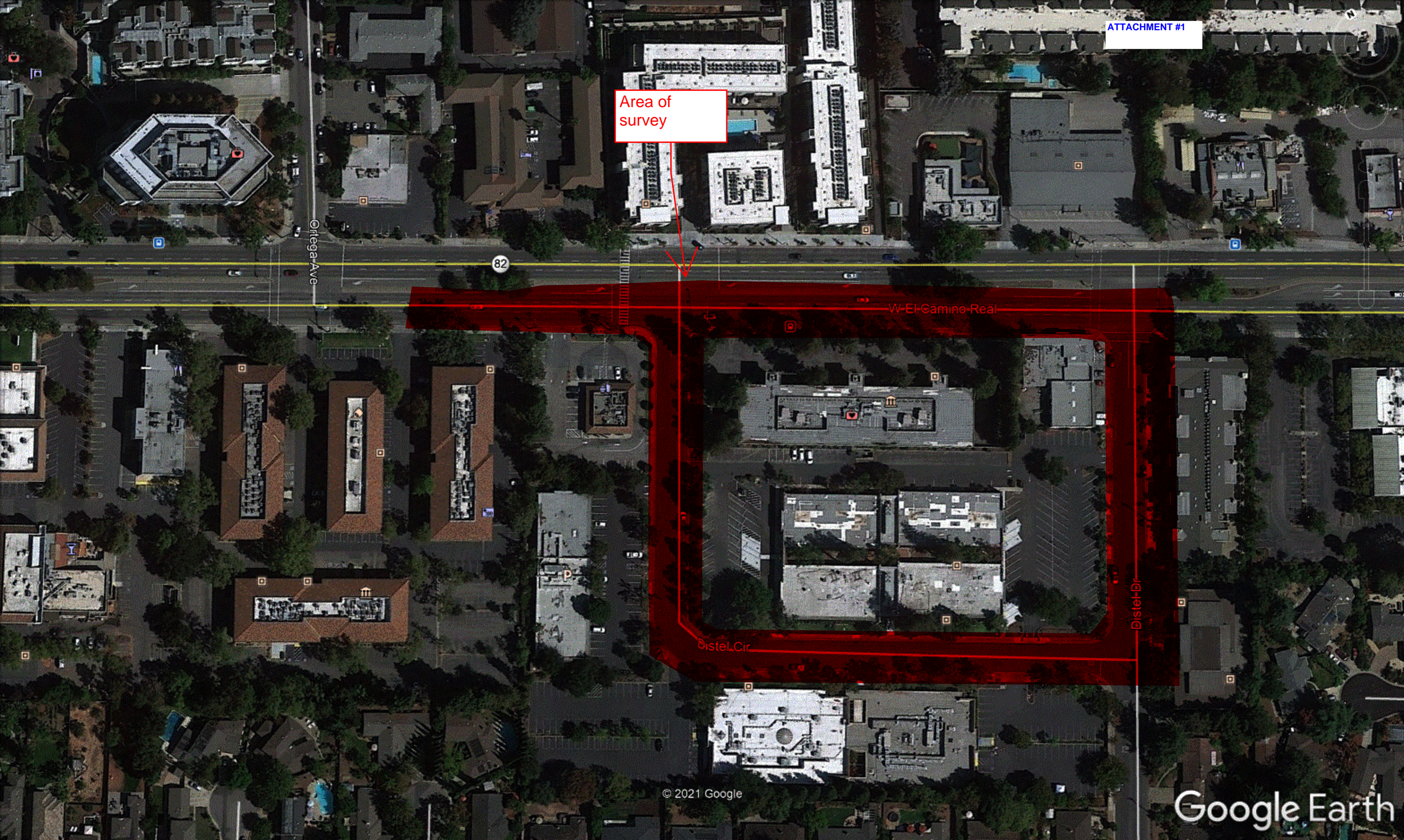
Ortega Ave

82

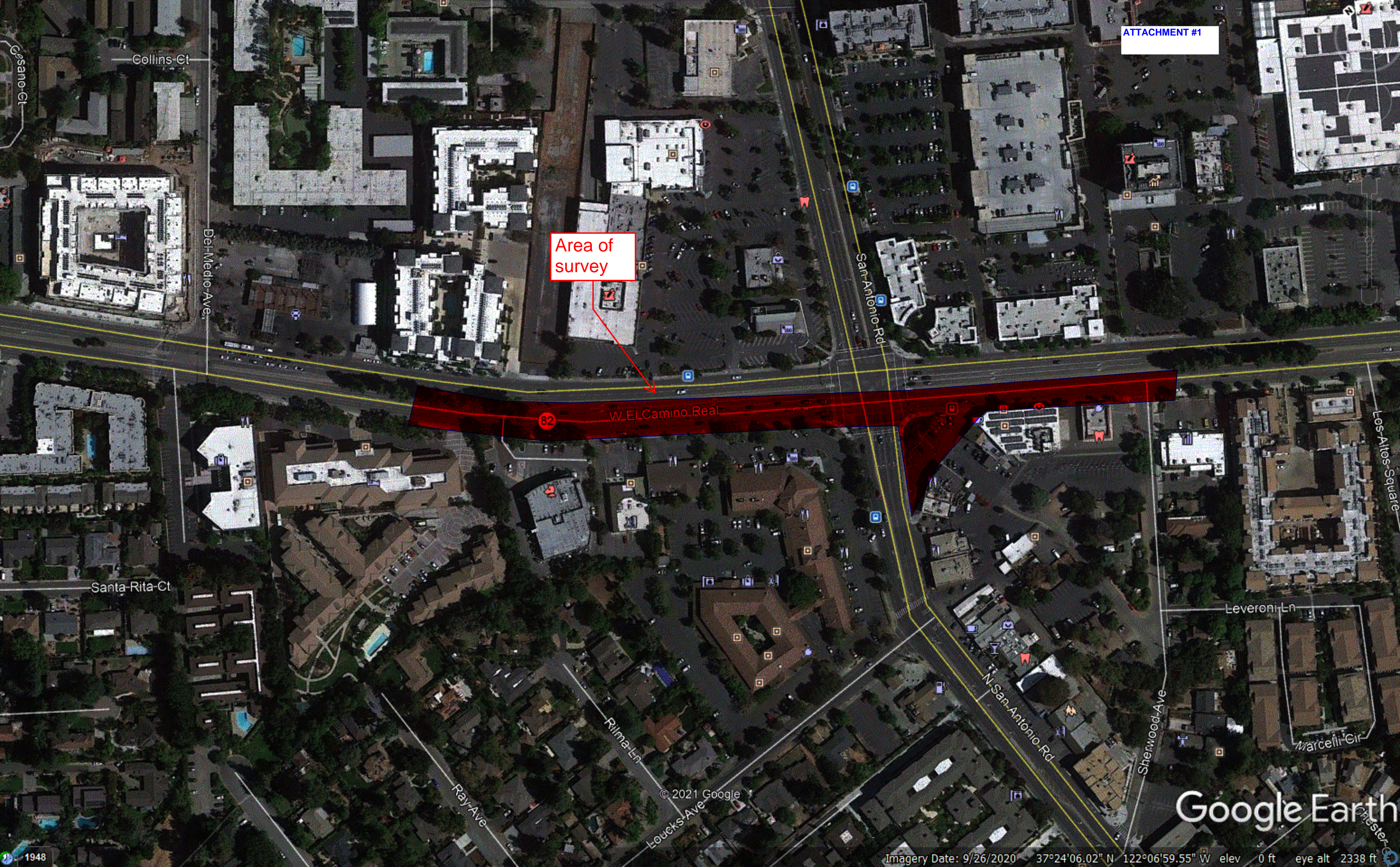
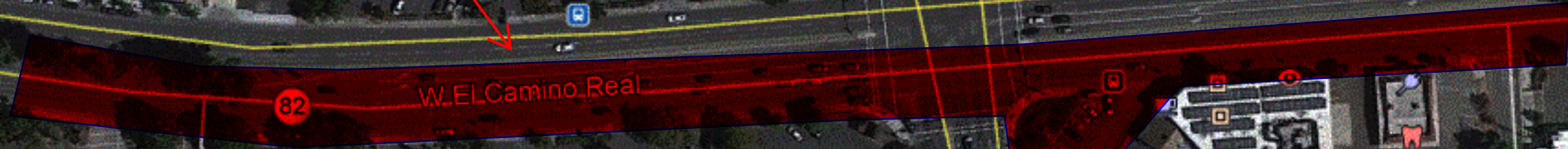
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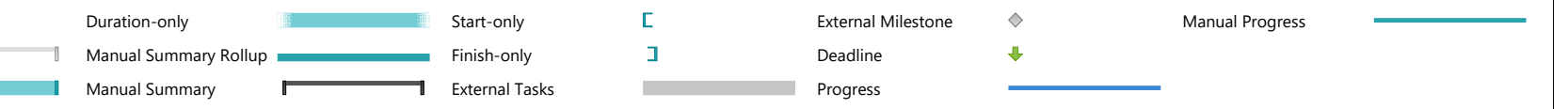
Area of survey



ATTACHMENT 2  
PROJECT SCHEDULE

Project Schedule  
CIPP Corrosion Rehabilitation (Project WW0100521)

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
1		<b>CIPP Corrosion Rehabilitation (Project WW0100521)</b>	<b>145 days</b>	<b>Mon 10/4/21</b>	<b>Fri 4/22/22</b>												
2		Notice to Proceed	0 days	Mon 10/4/21	Mon 10/4/21												
3		<b>Task I: 65% Submittal</b>	<b>70 days</b>	<b>Mon 10/4/21</b>	<b>Fri 1/7/22</b>												
4		Topographic Survey	10 days	Mon 10/4/21	Fri 10/15/21	2											
5		Request Utility As-Builts	10 days	Mon 10/4/21	Fri 10/15/21	2											
6		Prepare Base Map	5 days	Mon 10/18/21	Fri 10/22/21	4,5FF											
7		Prepare 65% design drawings	15 days	Mon 10/25/21	Fri 11/12/21	6											
8		Perform utility potholing	10 days	Mon 11/1/21	Fri 11/12/21	5,7SS+5 days											
9		Prepare 65% Basis of Design Report inc. OPC	10 days	Mon 11/15/21	Fri 11/26/21	7SS+10 days,8											
10		Prepare CalTrans Submittal	5 days	Mon 11/15/21	Fri 11/19/21	7											
11		CalTrans Review	30 days	Mon 11/22/21	Fri 12/31/21	10											
12		Prepare SFPUC Submittal	10 days	Mon 11/29/21	Fri 12/10/21	7,9											
13		SFPUC Project Review Meeting	0 days	Fri 1/7/22	Fri 1/7/22	12FS+20 days											
14		Submit 65% Design Submittal	0 days	Fri 11/26/21	Fri 11/26/21	9											
15		City Review	15 days	Mon 11/29/21	Fri 12/17/21	14											
16		65% Design Submittal Review Workshop	0 days	Fri 12/17/21	Fri 12/17/21	15											
17		<b>Task II: 100% Design Submittal</b>	<b>70 days</b>	<b>Mon 12/20/21</b>	<b>Fri 3/25/22</b>												
18		Prepare 100% design drawings	40 days	Mon 12/20/21	Fri 2/11/22	16											
19		Prepare 100% specifications	40 days	Mon 12/20/21	Fri 2/11/22	16											
20		Update OPC	10 days	Mon 1/31/22	Fri 2/11/22	18FF											
21		Prepare Mountain View submittal	10 days	Mon 1/31/22	Fri 2/11/22	18FF											
22		Mountain View Review	30 days	Mon 2/14/22	Fri 3/25/22	21											
23		Coordinate with VTA	10 days	Mon 1/31/22	Fri 2/11/22	18FF											



Project: CIPPSchedule Date: Fri 7/16/21	Task	Summary	Inactive Milestone	Duration-only	Start-only	External Milestone	Manual Progress
	Split	Project Summary	Inactive Summary	Manual Summary Rollup	Finish-only	Deadline	
	Milestone	Inactive Task	Manual Task	Manual Summary	External Tasks	Progress	

Project Schedule  
CIPP Corrosion Rehabilitation (Project WW0100521)

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Gantt Chart (Jul to May)																														
24	→	VTA Review	30 days	Mon 2/14/22	Fri 3/25/22	23	[Gantt bar from 2/14 to 3/25]																														
25	→	Submit 100% Design Submittal	0 days	Fri 2/11/22	Fri 2/11/22	18,19,20	[Milestone diamond at 2/11]																														
26	→	City Review	15 days	Mon 2/14/22	Fri 3/4/22	25	[Gantt bar from 2/14 to 3/4]																														
27	→	100% Design Submittal Review Workshop	0 days	Fri 3/4/22	Fri 3/4/22	26	[Milestone diamond at 3/4]																														
28	→	<b>Task III: Final Design Submittal</b>	<b>35 days</b>	<b>Mon 3/7/22</b>	<b>Fri 4/22/22</b>		[Summary bar from 3/7 to 4/22]																														
29	→	Prepare final design drawings	20 days	Mon 3/7/22	Fri 4/1/22	27,22FF,24FF,11F	[Gantt bar from 3/7 to 4/1]																														
30	→	Prepare final specifications	20 days	Mon 3/7/22	Fri 4/1/22	27	[Gantt bar from 3/7 to 4/1]																														
31	→	Update OPC	5 days	Mon 3/28/22	Fri 4/1/22	29FF	[Gantt bar from 3/28 to 4/1]																														
32	→	Submit Final Design Submittal	0 days	Fri 4/1/22	Fri 4/1/22	29,30,31	[Milestone diamond at 4/1]																														
33	→	City Review	15 days	Mon 4/4/22	Fri 4/22/22	32	[Gantt bar from 4/4 to 4/22]																														
34	→	City Issue Bid Documents	0 days	Fri 4/22/22	Fri 4/22/22	33	[Milestone diamond at 4/22]																														

Project: CIPPSchedule Date: Fri 7/16/21	Task		Summary		Inactive Milestone		Duration-only		Start-only		External Milestone		Manual Progress	
	Split		Project Summary		Inactive Summary		Manual Summary Rollup		Finish-only		Deadline			
	Milestone		Inactive Task		Manual Task		Manual Summary		External Tasks		Progress			



**PUBLIC HEARING**

**Agenda Item # 3**

**AGENDA REPORT SUMMARY**

**Meeting Date:** September 21, 2021

**Subject:** Public Land Preservation Overlay District Ordinance

**Prepared by:** Jon Biggs, Community Development Director

**Approved by:** Gabriel Engeland, City Manager

**Attachment(s):**

1. Draft Public Land Preservation Overlay District Ordinance Reviewed by Planning Commission
2. February 18, 2021 Planning Commission Meeting Minutes

**Initiated by:**

City Council

**Previous Council Consideration**

September 8, 2020 and November 10, 2020

**Fiscal Impact:**

No fiscal impact is anticipated as work on ordinance is being developed using existing resources.

**Environmental Review:**

Based on all the evidence presented in the administrative record, including but not limited to the staff reports, the proposed Ordinance relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is exempt from California Environmental Quality Act (“CEQA”) CEQA Guidelines Section 15061(b)(3), which states the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment” as the Ordinance has no potential to result in a direct, or reasonably foreseeable, indirect impact on the environment.

**Policy Question for Consideration:**

Shall a change to the Los Altos Municipal Code that will put in place regulations that, if applied, will help protect City owned land, like the Civic Center complex, be introduced and adopted.

**Summary:**

The addition of a Public Land Preservation (PLP) Overlay District to Title 14, Zoning, of the Los Altos Municipal Code may make it more difficult for City owned land to be sold or have title transferred. Any City owned land to which this PLP Overlay designation is applied could not be sold unless approved by a vote of the people or a future City Council votes to repeal the subject code and the PLP Overlay designation.



## AGENDA REPORT SUMMARY

**Subject:** Public Land Preservation Overlay District Ordinance

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### **Recommendation:**

City Staff recommends introduction of this Ordinance with the addition of a qualifying statement to the Ordinance that a future City Council, by simple majority vote, may repeal this Ordinance.

The Planning Commission voted 6-0 to not recommend adoption of the Ordinance.

### **Purpose**

The City Council has expressed an interest in enacting rules that would limit the City's ability to sell, transfer fee ownership, or re-designate land of the Los Altos Civic Center.

### **Background**

At a meeting in September of 2020, the City Council considered some options that would limit the City's ability to sell, transfer fee ownership, or re-designate portions of land within the Los Altos Civic Center. Staff recommended that a new zoning or land use designation and/or possibly an overlay district, which could be applied to the entire Civic Center complex, be developed. Following its deliberation, the City Council voted to direct staff to proceed with developing a change Title 14, Zoning, to achieve the desired public land preservation. In November of 2020, staff returned to the City Council with a draft ordinance for a PLP Overlay District that, if applied, would, provide the desired protections. The City Council agreed with this approach and directed that staff take the Ordinance to the Planning Commission for its review and a recommendation. One item the City Council asked staff to explore was a requirement that a super majority vote of the City Council (4/5) be required to apply this PLP Overlay designation. In discussions with the City Attorney, it was advised that this is not recommended due to other rules in place that govern zoning code and zoning map amendments. Similarly, it has been determined that adoption of this Ordinance, as drafted, will not -guarantee a vote of the people to approve the sale of or transfer of City owned land in which the PLP Overlay is applied, as a vote of a simple majority of the City Council may repeal it.

Attached with this agenda report is a draft Ordinance that adds a PLP Overlay District to Title 14, Zoning, of the Los Altos Municipal Code. This PLP Overlay District will be in conjunction with the underlying zone district of a property but provides that those properties with this PLP Overlay designation would require voter approval of the sale or transfer of title of any City owned land that has the PLP designation.





## AGENDA REPORT SUMMARY

**Subject:** Public Land Preservation Overlay District Ordinance

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Once this code change takes effect, an amendment to the Zoning Map that applies the PLP Overlay to the Civic Center Complex will be brought forward and taken through the standard zoning review process.

### **Discussion**

The Planning Commission took up consideration of this draft Ordinance at its meeting of February 18, 2021.

Prior to starting its deliberations, Commissioners asked if, assuming this Ordinance is adopted, a future City Council would have the ability to rescind the Ordinance and repeal the PLP Overlay designation to any City owned land to which it had been applied. The City Attorney advised that a future Council could repeal this ordinance and since it is not a ballot initiative that would require a majority vote of the electorate to impose or repeal the PLP Overlay.

In the deliberations leading to their recommendation, the Planning Commissioners noted this is an overreaching approach to a problem that does not exist. That is, there are no plans or stated intentions to sell or transfer title of all or portions of the Civic Center Complex or any other City owned lands. All the Commissioners agreed that they want park lands and open space protected but felt this Ordinance goes way beyond this intended purpose. They also felt that decisions to sell or transfer title to City owned land was up to the elected City Council and that citizens help determine how the City will manage its lands by those that are elected every two years.

Following a lengthy discussion, including the consideration of staff suggestion that the Ordinance be referred back to staff so that it might have an opportunity to develop some amendments to address the Commission's concerns, the Commission voted 6-0 to recommend that the City Council not adopt the Ordinance.

The full deliberation by the Planning Commission can be reviewed in attachment 2, the minutes of the February 18, 2021 meeting.

### **Staff Analysis**

As the Planning Commission correctly observed, this Ordinance, if adopted, may be repealed by a future City Council. If repealed, a future City Council can then exercise its authority without need



## AGENDA REPORT SUMMARY

**Subject:** Public Land Preservation Overlay District Ordinance

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of voter approval if it believes that the sale or transfer of title of City owned land achieves one of its goals.

The City currently has a code section like the proposed. Current Section 14.66.271 of the Los Altos Municipal Code requires voter approval for the sale or transfer of title of City owned land with a “Parks” or “Other Open Space” General Plan Land use designation. At the time this section of the code was adopted, concerns similar to those expressed by the Planning Commission were raised; however, the former City Council believed that having this code section in place would provide some protection of City owned lands and allow for a broad community discussion if Section 14.66.271 of the code were ever considered for repeal. Staff believes the City Council had a similar line of reasoning when it directed the drafting of the Ordinance currently under consideration. It is also worth noting that this Ordinance provides an opportunity to protect City owned land because it is one more step, an amendment to the City’s zoning map, that is still required to impose a PLP Overlay designation.

If the City Council seeks a greater level of protection of City owned land, it can direct staff to prepare a ballot measure to be submitted to the voters that would amend the code in a manner like the proposed Ordinance. Timing and expense would be two key points of discussion when considering this action as a general election is not on the near-term horizon and holding a special election would result in significant costs to the City. If the City Council would like to review this option further, staff recommends that it refer this back to staff so that it can develop some more detailed information on the timing and costs based on feedback from the Santa Clara County Registrar of Voters.

Likewise, the City Council may, in the broader context of a General Plan Update that is expected to start in 2023, direct that the protection of City owned land be developed and supported by goals, policies, and programs in conjunction with guidance specific to each property that the City owns. This does not provide for the immediate protection of City owned land but it does evaluate the protection of these lands in a broader context.

### Options

- 1) Introduce the Ordinance and waive further reading.

**Advantages:** Provides a path that can help protect City owned land.



## AGENDA REPORT SUMMARY

**Subject:** Public Land Preservation Overlay District Ordinance

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**Disadvantages:** If the Ordinance is adopted as written it does not guarantee that a vote of the people is needed to sell or transfer the title of City owned land.

- 2) Amend the Ordinance to add a qualifying statement that a future City Council by simple majority may repeal the Ordinance.

**Advantages:** This Ordinance would provide some further protection against the sale or transfer of title of City owned land and serve to further the policy goals of the City Council.

**Disadvantages:** The Ordinance does not guarantee voter approval for the sale or transfer of title of City owned land, which was the policy direction of the former City Council.

- 3) Direct that staff prepare a ballot measure to be submitted to the voters that requires voter approval of the sale or transfer of title of City owned land.

**Advantages:** If adopted by the electorate, it provides a high level of protection for City owned land.

**Disadvantages:** Referring the sale or transfer of title of City land to a vote of the people is expensive and time-consuming process.

- 4) Direct that goals, policies, and programs to protect City owned land be developed as part of the General Plan update.

**Advantages:** Provides for a broad and inclusive discussion on the future uses of City owned land and sets in place goals, policies, and programs that support a collective vision for their use.

**Disadvantages:** Timing and expense.

- 5) Decline introduction of the Ordinance.

**Advantages:** Other alternatives may seem more appropriate, and it allows the City Council time to consider the use or future of City owned land on a case-by-case basis.



## AGENDA REPORT SUMMARY

**Subject:** Public Land Preservation Overlay District Ordinance

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**Disadvantages:** May not provide the expected level of protection for City owned lands.

**Staff Recommendation**

For the reasons noted in the staff analysis section of this agenda report, staff recommends Option 2.

## ORDINANCE NO. 2021-XX

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
ADDING CHAPTER, 14.64, A PUBLIC LAND PRESERVATION (PLP)  
OVERLAY DISTRICT TO TITLE 14, ZONING, OF THE LOS ALTOS  
MUNICIPAL CODE THAT PROHIBITS: (1) THE SALE OR TRANSFER OF  
TITLE OF CITY-OWNED LAND WITH THE PLP OVERLAY  
DESIGNATION; AND (2) THE REMOVAL OF A PLP DESIGNATION  
WITHOUT VOTER APPROVAL**

**WHEREAS**, the City of Los Altos has a unique arrangement of land uses that require regulations and standards that preserve the character of the community and provide for compatibility of adjacent uses; and

**WHEREAS**, under the City’s police power, the City may enact comprehensive land-use and zoning regulations to promote health, safety and welfare; and

**WHEREAS**, the Open Space, Conservation, and Community Facilities Element of the Los Altos General Plan provide for public facilities and services and ensure a high quality of living for residents of and visitors to Los Altos; and

**WHEREAS**, the “Public and Institutional” General Plan Land Use designations provide for appropriate land uses and certain site development standards that help protect and maintain public parks, open space, facilities and services; and

**WHEREAS**, the City Council desires to amend the City of Los Altos Municipal Code to prohibit the sale, transfer of title, or re-designation of any City owned lands without voter approval, except that voter approval shall not be required for leases (including ground leases), licenses and/or any other instruments which do not convey fee title interest; and

**WHEREAS**, Chapter 14.64, Public Property Preservation Overlay District (PLP), would require 1. Voter approval of the sale or transfer of title of any City-owned land to which this overlay designation is applied, except that voter approval shall not be required for leases (including ground leases), licenses and/or any other instruments which do not convey fee title interest; and 2. Voter approval to remove the PLP designation once applied; and

**WHEREAS**, at its XXXXX meeting the Planning Commission of the City of Los Altos reviewed the proposed addition of Chapter 14.64, to the Los Altos Municipal Code and voted to recommend their approval to the City Council.

**NOW THEREFORE**, the City Council of the City of Los Altos does hereby ordain as follows:

**SECTION 1. FINDINGS.** After considering the record before it, including but not limited to the agenda report, presentation of staff, public comment, and discussion, the City Council hereby finds

DRAFT – FOR DISCUSSION ONLY

REVIEWED BY CC ON SEPTEMBER 21, 2021

that adoption of this Ordinance will help protect and promote public health, safety, comfort, convenience, prosperity and welfare by adding this Chapter to the City's existing regulations.

**SECTION 2. AMENDMENT OF CODE.** The following Chapter, 14.64, Public Property Preservation Overlay District, is hereby added to Title 14, Zoning, of the Los Altos Municipal Code.

14.64.010. Public Land Preservation Overlay District (PLP). The purpose of this Chapter is to establish a PLP overlay district that once applied requires voter approval for the sale or transfer of title or re-designation of any City-owned land to which this overlay designation is applied, except that voter approval shall not be required for leases (including ground leases), licenses and/or any other instruments which do not convey fee title interest.

The regulations set forth in this chapter shall apply to all properties to which this overlay designation has been applied and shall supplement and be used in conjunction with the standards and requirements of the underlying zoning district.

14.64.020. Voter approval shall be required for the sale or transfer of title of any City-owned land to another party, whether public or private, with a PLP overlay designation, except that voter approval shall not be required for leases (including ground leases), licenses and/or any other instruments which do not convey fee title interest.

14.64.030. Once adopted, the PLP overlay designation shall not be removed unless by voter approval. The PLP shall be as set forth in the PLP Map Exhibit "A" and incorporated by this reference.

14.64.040. For purposes of this Ordinance, voter approval is accomplished when a City measure is placed on the ballot at a general or special election as authorized by the California Elections Code, and a majority of the voters voting on the measure vote in favor of it.

14.64.050. The voter approval requirement may be waived by the City Council when it is necessary to comply with State or Federal law governing the provision of housing, including but not limited to affordable housing requirements.

**SECTION 3. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

**SECTION 4. COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.** Based on all the evidence presented in the administrative record, including but not limited to the staff reports, the proposed Ordinance relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is exempt from California Environmental Quality Act ("CEQA") CEQA Guidelines

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Section 15061(b)(3), which states the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment” as the Ordinance has no potential to result in a direct, or reasonably foreseeable, indirect impact on the environment.

**SECTION 5. CUSTODIAN OF RECORDS.** The documents and materials associated with this Ordinance that constitute the record of proceedings on which the City Council’s findings and determinations are based are located at Los Altos City Hall, One North San Antonio Road, Los Altos, California. The City Clerk is the custodian of the record of proceedings.

**SECTION 6. NOTICE OF EXEMPTION.** The City Council hereby directs City staff to prepare and file a Notice of Exemption with the Santa Clara County Clerk.

**SECTION 7. PUBLICATION.** This Ordinance shall be published as provided in Government Code section 36933.

**SECTION 8. EFFECTIVE DATE.** This Ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing Ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on XXXXXX and was thereafter, at a regular meeting held on XXXXXX passed and adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
Neysa Fligor, MAYOR

Attest:

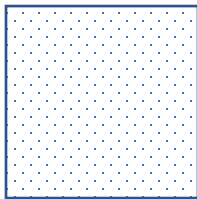
\_\_\_\_\_  
Andrea Chelemengos, MMC, CITY CLERK

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REVIEWED BY CC ON SEPTEMBER 21, 2021

EXHIBIT “A”

PUBLIC LAND PRESERVATION OVERLAY (PLP)

The Official Zoning Map of the City of Los Altos is modified by adding the following category to the Land Use Designations to the Official Zoning Map legend.



- PUBLIC LAND PRESERVATION OVERLAY (PLP)



**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF LOS ALTOS, HELD ON THURSDAY, FEBRUARY 18, 2021 BEGINNING AT 7:00 P.M. AT LOS ALTOS CITY HALL, ONE NORTH SAN ANTONIO ROAD, LOS ALTOS, CALIFORNIA**

Please Note: Per California Executive Order N-29-20, the Commissions will meet via teleconference only. Members of the public may call (650) 242-4929 to participate in the conference call (Meeting ID: 148 028 0704 or via the web at <https://meetings.ringcentral.com/j/1480280704?pwd=MjRNN0F3WU4MHYvdHc3ay9Vclg3UT09> (Password: 017212). Public testimony will be taken at the direction of the Commission Chair and members of the public may only comment during times allotted for public comments. You may watch the meeting live at <https://www.facebook.com/CityOfLosAltos>. Members of the public are also encouraged to submit written testimony prior to the meeting at [PlanningCommission@losaltosca.gov](mailto:PlanningCommission@losaltosca.gov) or [Planning@losaltosca.gov](mailto:Planning@losaltosca.gov). Emails received prior to the meeting will be included in the public record.

### ESTABLISH QUORUM

PRESENT: Chair Ahi, Vice-Chair Bodner (arrived for item #2), Commissioners Doran, Marek, Mensinger, Roche and Steinle

STAFF: Community Development Director Biggs, Planning Services Manager Persicone and City Attorney Houston

### PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

### ITEMS FOR CONSIDERATION/ACTION

#### CONSENT CALENDAR

**1. Planning Commission Minutes**

Approve minutes of the regular meetings of January 21, 2021 and February 4, 2021.

Action: Upon motion by Commissioner Steinle, seconded by Chair Ahi, the Commission approved the minutes from the January 21, 2021 Regular Meeting with a minor change to page 2 to change Robert to Roberta and the February 4, 2021 Regular Meeting as written.

The motion was approved (6-0) by the following vote:

AYES: Ahi, Doran, Marek, Mensinger, Roche and Steinle

NOES: None

ABSENT: Bodner

### PUBLIC HEARING

**2. City of Los Altos – Title 14, Zoning Amendment – Public Land Protection Ordinance**

Proposed ordinance adding a Public Land Protection (PLP) overlay district to Title 14, Zoning, of the Los Altos Municipal Code that will provide for the protection of City owned property by requiring voter approval of the sale or transfer of title of any City-owned land to which the PLP overlay designation is applied and voter approval to remove the PLP designation once it has been applied. The proposed Ordinance relates to organizational or administrative activities of

governments that will not result in direct or indirect physical changes in the environment, and therefore is exempt from California Environmental Quality Act (“CEQA”) CEQA Guidelines Section 15061(b)(3), which states the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment” as the Ordinance has no potential to result in a direct, or reasonably foreseeable, indirect impact on the environment.

*Project Manager: Community Development Director Biggs*

*THIS ITEM WAS CONTINUED FROM THE FEBRUARY 4, 2021 MEETING.*

Community Development Director Biggs gave the staff report presentation.

#### Commissioner Questions

Commissioner Mensinger asked if an advisory vote of the citizens instead of a binding vote was considered?

Answer: Community Development Director Biggs stated that it was not something that was considered to try and put some protections in place that the City Council could implement on public properties. There was a request by one Council member to require a super majority vote of the Council be voted on before this overlay district be applied, but given the feedback from the City Attorney, that is not something that can be done because this is an amendment to our Zoning Code. The application of this overlay district would be an amendment to our Zoning Map and the same rules would apply for amending other sections of the Zoning Code or Zoning Map.

Commissioner Mensinger then asked if there is a legal issue with being a binding or nonbinding vote?

Answer: Community Development Director Biggs said not that he is aware of and the Attorney’s office did not raise it as an issue.

Commissioner Mensinger asked if this would exclude leases and a potential 99-year lease on a property could keep being renewed?

Answer: Community Development Director Biggs said that is correct it does exclude leases.

Commissioner Mensinger said that it appears the Council wants to negate Measure C which was a citizen vote, to say we do not want to have to vote on this and now saying we are going to ignore that citizen vote and require a citizen vote to do something else now with the Civic Center.

Answer: Community Development Director Biggs stated that this came out of a request to the Council to redesignate portions of the Civic Center site, mainly the ball field and soccer field. In reviewing that, it became clear it would have been necessary to change the land use designation of these areas of the Civic Center so that they could be subject to the ordinance that the Council passed back at the time Measure C was being considered. But in order to apply a land use designation different from that currently applied to the Civic Center, a Subdivision Map, surveys to identify where all the buildings in the Civic Center are located, where they are in relationship to the new property lines created by the subdivision, and looking at easement and where utility lines come in would be needed. It became an expensive proposition to take through the process and would have

created non-conformities in the property because we would have had property lines closer to some of the existing buildings than are permitted in the zoning district of the Civic Center site..

Commissioner Steinle asked if this ordinance is broader than just the Civic Center property and would apply to all City owned land?

Answer: Community Development Director Biggs said yes, it would apply to all the City owned properties.

Commissioner Steinle asked if there was overlap between this and the existing ordinance that was passed in 2018 which respectively did the same thing for Open Space and Parks?

Answer: Community Development Director Biggs said yes, the previous version from 2018 protected those City owned land that had Other Open Space or Parks General Plan Land Use designations.

Commissioner Steinle asked why not just amend the previous ordinance instead of coming up with a new one?

Answer: Community Development Director Biggs said this gets back to the original path that got them in front of the ordinance this evening which was the desire to protect both the ball fields at the Civic Center Complex. But that had its own complications and this seemed to be the best course of action that staff could think of in terms of some zoning regulations the Council could use if it wanted to protect land that the City owns.

Commissioner Steinle stated that this gives the Council the power to do things, it does not create the protection itself specifically for any property at this point correct? And why not just an ordinance that says all City lands fall into this?

Answer: Community Development Director Biggs said yes, it does not create the protection at this point. Going back to the ordinance that was adopted some time ago and this one is an effort to try and protect park and open space land and the City owns lands that have land use designations other than open space. It gives a little more discretion in specifying which parcels or pieces of land should be subject to this proposed set of rules rather than saying they all should be subject to them.

Commissioner Roche asked given the discussion in the near future what is the impact this ordinance will have on 999 Fremont Avenue?

Answer: Community Development Director Biggs stated that was a good question since it is a piece of property that the City now owns and if this ordinance gets adopted, it does not automatically apply to all the properties, it only applies when the Council applies the PLP Overlay to properties. If the Council does not apply the overlay to 999 Fremont Avenue, it would not be subject to these restrictions.

Commissioner Marek asked how this differs from Measure C, or is this an end run around Measure C because we are cutting it into smaller pieces?

Answer: Community Development Director Biggs said not at all. It actually gives the Council broader discretion than Measure C because they can apply it to any City owned piece of property whether it have a Parks or Open Space designation or not. This could potentially be used across a broader spectrum of City owned land and if the Council chose to apply this overlay district to those properties, each one would need to come through a public hearing to apply the overlay district.

Vice-Chair Bodner asked if this is essentially allowing a Council majority of three individuals to permanently alter the ability of future Councils to make decisions on properties without getting and investing a huge amount in getting a vote to change that moving forward?

Answer: Community Development Director Biggs said it would take a majority of the Council to apply this PLP Overlay District to a piece of City owned land. It does not necessarily say it will restrict the ability of future Councils, it will provide another step in the process if they would like to do something like transfer title of the land for whatever reason. There is nothing on the books right now or any plans to sell any City properties. This is a piece of legislation to help protect public lands and give the voters an opportunity to weigh in on decisions to change title or sell a property.

Commissioner Marek asked what the additional step he mentioned in the process was?

Answer: Community Development Director Biggs said the additional step is that once this ordinance is adopted, we would then come back with a request to apply this overlay district to the Civic Center site, the entire complex, as a Zoning Map Amendment.

Commissioner Marek asked that if this Council applies the overlay district to that, then future Councils are unable to undo it?

Answer: Community Development Director Biggs said yes, that is correct.

Vice-Chair Bodner brought up a scenario in which you apply the overlay over all properties just described and we decide we want to use the library for an additional function by reconfiguring the space. In order to accomplish that, would a future Council have to go to a vote to invest the money and time and effort to get a vote of the entire population of Los Altos to make that kind of decision?

Answer: Community Development Director Biggs said no, only if the Council for some reason felt they needed to sell or transfer title of that land to another person or entity. The underlying standard zoning regulations still apply and would go through a similar process like that for the EOC, where that particular building took a use permit and exception to our setback requirements and design review. Same process and it would not trigger a vote of the people.

Vice-Chair Bodner then asked what is the problem we are trying to solve? If a future Council wanted to sell or transfer title to another entity, is it really possible for them to accomplish that without? Has

it ever happened that a three majority somehow sold or transferred title of a property that was not supported by our City Attorney or staff?

Answer: Community Development Director Biggs said he has not seen that take place in his tenure, but there is concern that it could take place in the future; and to get the public to weigh in on that potentiality is why this ordinance is being moved through the process.

City Attorney Houston added that this is just an ordinance and a future Council can repeal this ordinance. So, in the future, it is not binding. Had we taken this to the vote as an initiative and the people approved it like Measure C, the voters could impose this type of restriction to not being able to sell or lease land without a vote. If the voters had put this in, then that would have to have a vote of the people to remove that legislation because that would have been a voter initiated or Council initiated initiative. This is just an ordinance and it is future direction, but a future Council can always repeal this ordinance and have it not be binding. She wanted to make it clear that this is not the same as if the voters put this in and only the voters can remove it. So, it is not as binding on the future. In regards to future sales, there are sale of land statutes where you would have to make findings of public benefit and we would also be subject to the Surplus Lands Act where before we sold a property we would have to go through a notice process. The Surplus Land Act recently got amended in 2020, so there are other safeguards to selling off publicly owned land. It is all tied into HCD and they want inventory of land for future housing. So, before you can sell off publicly owned land you now need to give different notice provisions and have to notify HCD. She wants this Planning Commission to know and understand this is not as binding as if the voters put it in place. This ordinance can always be repealed by the Council at any time with a three-majority vote or put it back into place.

Commissioner Mensinger asked if that is the case when there is an overlay district that the citizens have voted on? Does the Council have to abide by that or can they retroactively say no, we are changing the ordinance?

Answer: City Attorney Houston said that yes, you would have to get another citizen vote to change it because it an initiative.

Commissioner Mensinger said she was confused that if a Council can remove this at any time, why are we doing this now?

Answer: City Attorney Houston said it was Council's direction. Community Development Director Biggs said it was an element of their 2020 Council priorities and as he mentioned earlier, it was to provide opportunities to provide greater protection for parks and open space land.

Commissioner Steinle asked if something has been designated as being in this PLP Overlay and subsequently the Council decided to remove the ordinance, it would not change the status of the overlay because that would have to be changed by a vote of the citizens?

Answer: City Attorney Houston said that is what this ordinance says, but if the City Council did not want to put it to a vote of the people, they could just rescind it. It does not have the binding effect as an initiative would. The City Council can always repeal an overlay so it would not exist anymore.

Vice-Chair Bodner said that the ordinance states to remove the overlay you need voter approval.

Answer: City Attorney Houston stated that is the intent of this ordinance, but from what she understands the Council can always still repeal it.

Commissioner Steinle asked if the repeal can only have a future effect, or would it undo everything that was done under the ordinance? If we designate the Civic Center as a PLP District and subsequently the Council repeals this ordinance, is the Civic Center no longer protected by the ordinance?

Answer: City Attorney Houston said that is how the ordinance is drafted, but the Council can always go back and repeal the ordinance and that would be applied to future City owned parcels.

Commissioner Steinle asked if something is already designated for this overlay district would it remove that designation completely from those lands that have been put under it, or would it require a vote of the citizens to undo that particular protection for those particular lands?

Answer: Community Development Director Biggs suggested adding some kind of legacy clause to this ordinance that says in the event this particular chapter is repealed, this PLP Overlay District will remain for those parcels to which it has been applied to.

Commissioner Steinle stated that the reason this is in front of them is because at the time Measure C was coming up and the protection of Open Space and Park lands, there was a promise specifically, with respect to the soccer field, that they would be protected. Since that did not happen, this is Council trying to live up to a previous promise made back in 2018 by the now two previous City Councils. That is why we are dealing with this now. The alternative was to do something specifically about the soccer field, but it got really complicated and expensive and this was the less expensive and onerous way of dealing with that problem.

Chair Ahi opened the meeting for public comment.

#### Public Comment

Resident Curtis Cole, former Planning Commissioner, stated he is a proponent of keeping City lands and does not like the sale of City owned lands. Behind those two statements lies a hidden complexity of City Planning, Finance and Community Development and a wise exception to those two. For example, citizens and voters do not have the time to learn the details, implications, and subtleties that they elect City Council members to appoint to appoint Commissioners such as themselves that are willing to take the time to make those considered decisions. Voters are more often moved by emotion than a rational analysis. So, why are we doing this? Are we guarding against future irresponsible City Council members or to prevent development in the downtown and a public-private partnership? It looks like a piece to undo the decision on Measure C which is in opposition to

respecting the wishes of the voters, which said do not do Measure C. Please remove the irreversible prohibition against changing PLP zoning on some areas. Respect the wisdom of future elected Council members and the Commissions they appoint and understand we do not know what the future will bring and imagine all the possible exceptional cases and opportunities that might arise that we would otherwise lose. If this was applied to 999 Fremont, it would seriously complicate any land swap opportunities that might help to fix that complicated intersection over there. Please recommend a different path as the zoning ordinance has it currently stated. There is no reasonable risk that the City is going to sell the Civic Center properties or the soccer field at Hillview. This is unnecessary dangerous.

Resident Roberta Phillips said she knows that this is a solution that the City Attorney and Jon Biggs came up with after a lot of thought. The reason why people want to protect parks is that they have additional protection that other lands do not have. For example, you cannot use certain pesticides in or around parks, and we cannot put cell towers in our parks, so there are good reasons to protect our parks especially when we have less park land than any other City per capita on the Peninsula. Land is very scarce, and this is the best possible solution to protect the park lands as promised. She urged the Planning Commission to approve the ordinance, said it was common sense, and it has been two years.

Chair Ahi closed the public comment period.

#### Commission Discussion

Commissioner Steinle advised an edit to change the 14.66 referenced in some parts of the ordinance to 14.64. He wants to send this to current City Council because they need the Council's advice on it. This was not done by the current City Council first, and second it was done without consideration of some of the things Roberta raised. The initial problem was that the soccer field was not designated as a park in the General Plan and thus lacks the protections of parks. That is what is motivating this. What this seems to focus on is whether you can alienate these lands and sell them or transfer title in another way. If we wanted to designate them officially, there would be a lot of work that would need to be done. This is an attempt to allow those protections which are currently available for Open Space and Parks as designated in the General Plan to the areas of the Civic Center that are not designated in the General Plan as Parks or Open Space.

Vice-Chair Bodner stated that everything the Commission discusses gets moved to the City Council. It either goes with the Commission's support or without their support. She has a different position on all this and she cannot support the ordinance. She has not heard a compelling reason why this is something that they would want to implement. In terms of protecting our parks, that was the same rationale that was given for Measure C and a majority of Citizens voted to reject that. Our parks have never been in danger of being sold and the fact is that the ordinance is not limited to parks, it potentially applies to all public land. We already voted on the issue and this feels like an attempt to subvert that. If not, then it's not even effective and does not accomplish what we want. Of course this will go to City Council, but noted again she is not supportive of it.

Commissioner Doran said she did not have a lot to add except that she agreed with Commissioner Bodner for several reasons. But Mr. Cole made a very compelling point especially relative to future

development and a way the City can implement public-private partnerships on some of the underutilized assets that we have. She is not generally supportive because she thinks this will undo something that has already been done.

Vice-Chair Bodner added that it sounds like there are already guardrails in place to protect our parks and the City should feel good about them because we have never actually sold any of our parks and those protections are working.

Commissioner Doran continued that there are too many unanswered questions and confusion regarding one Council approving it and another Council undoing it. Her understanding is that if this action passes and an overlay is applied, a future Council could actually undo that overlay.

Commissioner Mensinger agreed that this is an overreaching way to approach the problem. She thinks all of us want to protect our parks land, soccer fields and everything else, but his ordinance goes way beyond that. She is not sure that it is solving the problem that we all seem to think may or may not be out there in the future. Agreed with Commissioner Steinle that this is not a current City Council priority/initiative and this was the most compelling reason to her not to support this. That is the whole point of electing a City Council on a two-year cycle and that is how we decide as a community what direction we want to take. As Vice-Chair Bodner said, you are basically saying that a three-majority vote can hand string any reasonable decision from going forward in 20-30 years. She said that is not good public policy and if we want to protect our park land then maybe there is a better way to do it. She understands that it is an expensive process to go through, but having a citizen vote to decide public policy is also expensive. Since Measure C failed to pass with a 52 percent to 48 percent vote, that was compelling evidence that the citizens had spoken at that time and this is not the approach we want to take. We want our City Council to make these decisions and she is not in favor of supporting this.

Commissioner Roche stated that he thinks this should be sent back to the City Council and have them take a look at it to see if they are even still interested in doing this. He has real questions on the overlay and needs clarification on if voter approval is needed for removal of an overlay once applied. This seems to be trying to circumvent the intent of Measure C and he is not in favor of the ordinance as written.

Commissioner Marek agreed with Vice-Chair Bodner. He said it is not clear what this ordinance is intended to do and it is hard to understand why the City Council would do this two years after the vote on Measure C. It does seem like it is trying to get around that vote.

Chair Ahi agreed with other Commissioners. He said this initially came about because they wanted to protect the Civic Center, but the way this is presented he could see it being used in another way unfortunately. 999 Fremont Avenue was something he thought of when reading this ordinance because the designation could be applied to it and then we would have development issues with that particular parcel. This is confusing but thinks the initial idea of wanting to protect the Civic Center was good but does not know if this is the way to do it. He suggested asking Council to take another look at it and maybe they will have second thoughts about what their feelings are now. He stated that



it seemed the proposed ordinance did not have the full support of the Commission and asked what staff suggested.

Community Development Director Biggs said the Commission had a couple paths available to them: 1) Make a recommendation to the Council that his ordinance not be adopted as drafted, or 2) Refer the ordinance back to staff to explore including some kind of legacy language to clarify that the PLP designations remain in place on a piece of property to which is has been applied if this particular chapter has to get rescinded, or 3) You may ask staff to go back and look at it and to only apply it to City owned land with a Public and Institutional or Park land use designations so it would provide some additional parameters and limits on what this language could be applied to. We could make modifications and bring them back to the Commission and see if that is enough to allow you to support it.

Chair Ahi then asked the Commissioners if the PLP Overlay was only applied to the Civic Center and not any other City owned property, is that something that something the Commission thinks makes sense, or do they not like the idea at all?

Commissioner Steinle said that we already have an ordinance that was passed by the City Council in 2018 that extends these protections to certain public lands. All this does is extend those protections to all City-owned lands. Regarding 999 Fremont he said that it would require a finding by the City Council in favor of this PLP designation and there would be a hearing. It would not make sense to extend these protections to all City-owned land. He supported sending this back to staff to work out some of these issues and some clarification and then seeing the ordinance again after that.

Commissioner Mensinger said that she takes a different view and does not think it is good public policy to have something like this and she would not support it.

Vice-Chair Bodner agreed with Commissioner Mensinger and said that if something does not make sense to the City broadly, why apply it narrowly. This should not be sent forward and the Civic Center is not in jeopardy of being sold.

Commissioner Marek added that he agrees it is not good public policy and added if there was already a citizen vote on something similar, he does not see how this is not a run around that popular vote. He does not support any iteration of it.

Chair Ahi and Commission Doran asked for more detailed and elaborated minutes than the usual summary minutes since the Commission is not recommending this ordinance to the City Council.

Action: Upon motion by Vice-Chair Bodner, seconded by Commissioner Doran, the Commission moved not to recommend the ordinance as drafted to the City Council.

The motion was approved (6-0) by the following vote:

AYES: Ahi, Bodner, Doran Marek, Mensinger and Roche

NOES: Steinle

Commissioner Doran recused herself for agenda item No. 3 because she owns property within 500 feet of the subject property.

### 3. **CUP19-0004 – Hiep Nguyen – 1074 Riverside Drive**

A request for a conditional use permit to create a flag lot at 1074 Riverside Drive. In conjunction with a lot line adjustment request (administrative review), the proposal would create a 10,756 square-foot interior lot and a 16,982 square-foot flag lot. *Project Planner: Golden*

Senior Planner Golden gave the staff report and PowerPoint presentation recommending approval of application CUP19-0004 to allow for the creation of a new flag lot in accordance with the findings in Section 14.80.060 and subject to the Conditions of Approval in the staff report.

#### Commissioner Questions

Chair Ahi asked since the applicant got the letter of map amendment for the flood zone, is there a new base flood elevation for the AE flood zones or the area in terms of what the finished floor elevations would be at the back of the lot?

Answer: Senior Planner Golden stated that it is a little bit more complex because there is a higher standard when you build within an AE zone since it does not have a regulated floodway. With regards to the base flood elevation in an AE zone, we typically look for that plus an additional foot for a finished floor. Regardless of that, we would have to look at other things before we even considered allowing a building in this flood zone.

Commissioner Steinle asked whether Santa Clara Valley Water District would have to sign off on something like this because they own the creek?

Answer: Senior Planner Golden said no, it is a regulated floodway, and the property owners are responsible for maintenance. We would ask the Santa Clara Valley Water District for peer review to help us out because we do not have the expertise to analyze flood studies in these situations. We have adopted the Santa Clara Valley Water Protection Collaborative and that was one approach cities in the Santa Clara Valley took a few years back.

The project applicant Hiep Nguyen spoke in favor of the project stating that they would stay out of the flood zone, will provide two housing units, and asked the Commission for their approval of his application.

Chair Ahi then opened the meeting for public comment.

#### Public Comment

Resident Terri Couture, 903 Parma Way, said she has been here in Los Altos for 30 years. The creek has flooded twice. She stated concerns about trees disappearing along the creek banks from development even though they are protected, and the slope down to the creek that has been altered without permits in the past. She asked that the Commission protect the neighborhood, creeks, and wildlife.

Chair Ahi then closed the public comment period.

#### Commission Discussion

Commissioner Roche stated he had no concerns, the flag lot creation is ideal, and is in support of the application.

Vice-Chair Bodner said she was supportive.

Commissioner Mensinger gave her support.

Commissioner Marek said he was in support.

Commissioner Steinle stated he as in support.

Chair Ahi gave his support with the base flood elevations identified. He said it makes perfect sense to have two homes built on 30,000 square feet of lot.

Action: Upon motion by Commissioner Roche, seconded by Commissioner Steinle, the Commission voted to recommend approved of Application CUP19-0004 to create a flag lot and for staff to administratively approve the Lot Line Adjustment to accommodate the proposed lot arrangement.

The motion was approved (6-0) by the following vote:

AYES: Ahi, Bodner, Marek, Mensinger, Roche and Steinle

NOES: None

RECUSED: Doran

### **COMMISSIONERS' REPORTS AND COMMENTS**

Commissioner Steinle asked about City Council meeting assignments for 2021. Community Development Director Biggs said we would have that document for them at the next scheduled meeting.

Chair Ahi said that he would represent for the Objective Standard on the February 23<sup>rd</sup> City Council meeting. Community Development Director Biggs said that the meeting on the 23<sup>rd</sup> is a City Council Study Session that will start at 6:00 PM.

### **POTENTIAL FUTURE AGENDA ITEMS**

Community Development Director Biggs provided an overview of upcoming projects and meetings including 140 Lyell Street consideration at the February 23, 2021 City Council regular meeting agenda.

Community Development Director Biggs reminded the Commissioners about the 2021 Virtual Planning Commissioners Academy in March.

### **ADJOURNMENT**

Chair Ahi adjourned the meeting at 8:35 P.M.

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Jon Biggs  
Community Development Director



**DISCUSSION ITEM**

**Agenda Item # 4**

**AGENDA REPORT SUMMARY**

**Meeting Date:** September 21, 2021

**Subject:** American Rescue Plan Act Allocation

**Prepared by:** Jon Maginot, Deputy City Manager

**Approved by:** Gabriel Engeland, City Manager

**Attachment(s):** None

**Initiated by:**  
Staff

**Previous Council Consideration:**  
None

**Fiscal Impact:**

The City of Los Altos received a funding allocation of \$7,197,928 in American Rescue Plan Act dollars. The first payment equal to one half of the City of Los Altos' allocation in the amount of \$3,598,964 was received by the City in mid-July 2021 and a second payment of \$3,598,964 will be received in July 2022. Upon receipt, these funds are placed in the City's General Fund as lost revenue replacement.

**Environmental Review:**

Not applicable

**Policy Question(s) for Council Consideration:**

- Does the Council wish to apply funds received as part of the American Rescue Plan Act as lost revenue replacement?
- Does the Council wish to use American Rescue Plan Act funds transferred into the General Fund for other purposes?

**Summary:**

- The City will receive approximately \$7.2 million dollars in two payments as part of the American Rescue Plan Act (ARPA)
- Dollars received under the ARPA may be used to replace revenue lost due to the COVID-19 pandemic
- These funds must be spent or obligated by December 31, 2024

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**Reviewed By:**

City Manager

BK

City Attorney

JH

Finance Director

JM

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**Subject:** American Rescue Plan Act Allocation

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**Staff Recommendation:**

Accept the deposit of the entirety of American Rescue Plan Act dollars into the City's General Fund as lost revenue replacement and provide direction on if any alternative uses should be considered using General Fund dollars



**Subject:** American Rescue Plan Act Allocation

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### **Purpose**

For the Council to accept non-entitlement funding as allocated in the American Rescue Plan Act

### **Background**

On March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by President Biden. Section 9901 of the ARPA amended Title VI of the Social Security Act to add Section 603. This establishes the Coronavirus State & Local Fiscal Recovery Fund (SLFRF) for local governments (cities and towns) across the U.S. to receive a funding allocation. In California, both large cities – entitlement cities (populations over 50,000) and small cities and towns – non-entitlement units of local government (populations under 50,000, which includes the City of Los Altos) have received ARPA funding allocations. In total, small cities (non-entitlement cities including Los Altos) in California have been allocated over \$1.2 billion.

Fiscal Recovery Funds through the SLFRF are intended to provide support to state, local, and tribal governments in responding to the impact of COVID-19 and in their efforts to contain the negative impacts of the COVID-19 Pandemic on their communities, residents, and businesses. The Fiscal Recovery Funds build on and expand the support provided to governments over the last year, including through the Coronavirus Relief Fund (CRF).

### **Discussion/Analysis**

The City of Los Altos received a funding allocation of \$7,197,928 in Fiscal Recovery Funds based on the report issued by the U.S. Department of the Treasury. The first payment equal to one half of the City of Los Altos' allocation in the amount of \$3,598,964 was received by the City in mid-July 2021. ARPA requires that payments from the Fiscal Recovery Funds be used only to cover costs and expenditures incurred by a local government by December 31, 2024. ARPA recipients must return any funds not obligated by December 31, 2024 and any funds not expended to cover these obligations by December 31, 2026.

### Use of Funds

One of the eligible uses of ARPA funds is the replacement of local government revenue lost due to COVID-19. This helps ensure that governments can continue to provide needed services and avoid cuts or layoffs. The City's reduction in revenue is measured relative to the revenue collected in the most recent full fiscal year prior to the emergency (i.e., FY2018-19). The extent of a reduction in the City's general revenue during the COVID-19 pandemic is calculated by a formula provided by the Department of the Treasury.

Additionally, general fund revenue loss is an expenditure category that gives the City broad latitude to use funds to provide government services with few restrictions. Depositing ARPA funds in the City's General Fund provides maximum flexibility on how the City ultimately uses funds to meet the needs



**Subject:** American Rescue Plan Act Allocation

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of its residents and local businesses and without additional reporting requirements to the Department of the Treasury.

To calculate the loss of revenue, the City computed the extent of the reduction in revenues using the Department of Treasury calculation to compare actual revenue to a “counterfactual trend” (i.e., Counterfactual Revenue). This counterfactual trend represents the amount of general revenues the City could have been expected to generate in the absence of the pandemic. The counterfactual trend starts with the last full fiscal year prior to the COVID-19 public health emergency (FY 2018-19) and then assumes growth at a constant rate in the subsequent years. For purposes of measuring revenue growth in the counterfactual trend, ARPA recipients may use a growth adjustment of either 4.1 percent per year or the recipient’s average annual revenue growth over the three full fiscal years (FY 2016-17, FY 2017-18 and FY 2018-19) prior to the COVID-19 public health emergency, whichever is higher.

Following the four-step process to determine the reduction of general fund revenues outlined in the Interim Final Rule, it was initially determined the City’s average annual growth rate in the three years prior to the COVID-19 pandemic was 6.36%, which is greater than the minimum base growth rate of 4.1% allowed in the Interim Final Rule.

The four-step process to determine the extent of a city’s reduction in revenue includes:

- Step 1: Identify general revenues collected in the most recent full fiscal year prior to the pandemic, called the Base Year Revenue (i.e., FY 2018-19)
- Step 2: Estimate “Counterfactual Revenue”
- Step 3: Identify Actual Revenue
- Step 4: The extent of the Reduction in Revenue is equal to Counterfactual Revenue less Actual Revenue.

The formula provided by the Department of the Treasury for calculating a reduction in a recipient’s general revenue equals:

$$\text{Max } \{ [\text{Base Year Revenue} * (1 + \text{Growth Adjustment})^{\left(\frac{n_t}{12}\right)}] - \text{Actual General Revenue}_t; 0 \}$$

Where:

- *Base Year Revenue* is the recipient’s general revenue for the most recent full fiscal year prior to the COVID–19 public health emergency
- *Growth Adjustment* is equal to the greater of 4.1 percent (or 0.041) and the recipient’s average annual revenue growth over the three full fiscal years prior to the COVID–19 public health emergency (6.36%, or 6.36% represents the City of Los Altos’ average annual revenue growth)
- *n* equals the number of months elapsed from the end of the base year to the calculation date
- *Actual General Revenue* is a recipient’s actual general revenue collected during 12-month period ending on each calculation date



**Subject:** American Rescue Plan Act Allocation

**Table 1 – City of Los Altos Reduction in Revenue**

Growth Rate	0.0636				
As of:	06/30/2019	12/31/2020	12/31/2021	12/31/2022	12/31/2023
n (months elapsed)		18	30	42	54
Base year revenue	43,587,573				
Counterfactual revenue		47,745,827	50,782,462	54,012,227	57,447,404
Actual Revenue (last 12 months)		41,999,996	*44,671,196	*47,512,284	*50,534,065
Extent of Reduction in Revenue		5,745,831	*6,111,266	*6,499,943	*6,913,339

*\*Estimates of Actual Revenue and Reduction in Revenue for the periods ending December 31, 2021 through December 31, 2023.*

With the City of Los Altos’ average annual growth rate at 6.36%, the Counterfactual Revenue (the amount of general revenues the City could have been expected to generate in the absence of the pandemic) ranges from \$47,745,827 for the period ending December 31, 2020 to \$57,447,404 for the period ending December 31, 2023. Actual general fund revenues for the period ending December 31, 2020 were \$41,999,996. This means that the City of Los Altos experienced a \$5,745,831 shortfall in general revenues for the period ending December 31, 2020 due to the COVID–19 public health emergency. This total amount, or any portion thereof, is an eligible expense under ARPA funding rules.

Revenue reductions in subsequent years (December 31, 2021; December 31, 2022; and December 31, 2023) are also eligible expenses under ARPA funding guidelines from a reduction in city general revenue experienced due to the COVID–19 public health emergency. As outlined in Table 1 above, these revenue reductions are currently estimated as:

- \$6,111,266 for the period ending December 31, 2021
- \$6,499,943 for the period ending December 31, 2022
- \$6,913,339 for the period ending December 31, 2023

These estimates are based on the allowable “counterfactual revenue” derived from the Department of the Treasury formula (i.e., the amount of general revenues the City could have been expected to generate in the absence of the COVID-19 public health emergency) and actual revenue estimates of general revenue for the city for the corresponding time periods.





**Subject:** American Rescue Plan Act Allocation

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As the extent of the City's actual and estimated loss in revenue exceeds the amount the City has and will receive, it is recommended that the entirety of the City's ARPA disbursement be transferred to the City's General Fund to ensure the City can continue to provide needed services to the community and to allow the City the most flexibility in using the funds.

The City could use the ARPA funds or a portion thereof for a variety of other purposes; however, all of these uses could be provided for using General Fund dollars. Doing so will reduce the reporting requirements associated with ARPA funds.

#### Ineligible uses of ARPA

The ARPA specifically prohibits the use of Fiscal Recovery Funds for deposit into any pension fund or any financial reserves or similar funds. Other ineligible uses include payment of interest or principal on outstanding debt instruments.

#### **Alternatives**

Potential uses of ARPA funds could include:

- 1) Small Business Emergency Relief Grants
- 2) Assistance to local restaurants to enhance outdoor dining facilities
- 3) Matching funds community gift card program – launch a community gift card program and offer BOGO cards as a promotion (e.g., buy a \$50 card and receive a bonus \$50 card). The Yiftee gift card platform is currently being used in local Northern California communities such as Fremont, Cupertino, Pleasanton, Livermore, Concord, Benicia, Selma, and Newark
- 4) Job training or job placement (restaurants especially are challenged in finding employees to hire)
- 5) Sewer system upgrades and retrofits
- 6) Upgrades of city owned properties to ensure COVID-19 compliance from a health and safety perspective
- 7) Technology upgrades for the city that can help with remote meetings and on-line services

#### **Recommendation**

The staff recommends Council accept the deposit of funds into the City's General Fund of the entirety of American Rescue Plan Act dollars as replacement revenue for revenue lost due to the COVID-19 pandemic. Further, staff recommends the Council provide direction on if any alternatives should be considered using General Fund dollars. If so, staff will return with recommendations on eligible programs.



**DISCUSSION ITEM**

**Agenda Item # 5**

**AGENDA REPORT SUMMARY**

**Meeting Date:** September 21, 2021

**Subject:** Resolution No. 2021-50: extending the off-leash pilot program at the Hillview Baseball Field and making findings pursuant to CEQA that the Resolution is categorically exempt from environmental review

**Prepared by:** Donna Legge, Recreation and Community Services Director

**Approved by:** Gabriel Engeland, City Manager

**Attachment(s):**

1. Resolution No. 2021-50: extending the off-leash pilot program at the Hillview Baseball Field and making findings pursuant to CEQA that the Resolution is categorically exempt from environmental review.
2. Ordinance No. 2021-475: authorizing an off-leash pilot program at the Hillview Baseball Field and making findings pursuant to CEQA that the ordinance is categorically exempt from environmental review.

**Initiated by:**

City Council

**Previous Council Consideration:**

February 12, 2019; November 10, 2020; February 9, 2021; and February 23, 2021

**Fiscal Impact:**

The extension of the Off-Leash Pilot Program will have a minimum cost for signs that will be absorbed by the Park Maintenance operations budget.

Breakdown of funds to be used:

- \$500 General Fund
- Amount already included in approved budget: Yes
- Amount above budget requested: 0

**Environmental Review:**

Not applicable

**Policy Question(s) for Council Consideration:**

- Does Council want to consider the adoption of Resolution No. 2021-50, authorizing the extension of the off-leash pilot program at the Hillview Baseball Field

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**Reviewed By:**

City Manager

City Attorney

Finance Director

BK

JH

RM

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**Subject:** Hillview Baseball Field Off-Leash Pilot Program Extension

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**Summary:**

- In accordance with LAMC 5.08.010, dogs are prohibited to be off-leash in Los Altos parks
- Residents do not have a place to take dogs off-leash, legally, within the Los Altos community
- The Council approved a 6-month pilot off-leash hours program at the Hillview Baseball Field, with the adoption of Ordinance No. 2021-475, suspending the enforcement of LAMC 5.08.010, allowing dogs to be off-leash during designated days and times
- The 6-month period (181 days) began on April 1, 2021, and is scheduled to end on September 27, 2021
- Council directed staff and the Parks and Recreation Commission to return to Council no later than 60 days after the end of the 181 days of the pilot program that lands on Saturday, November 27, 2021
- Council desires to extend the pilot off-leash program between September 28, 2021, and until such time that the City Council receives a recommendation from the PARC and Council takes action.

**Staff Recommendation:**

Consider approval of Resolution No. 2021-50: extending the off-leash pilot program at the Hillview Baseball Field and making findings pursuant to CEQA that the Resolution is categorically exempt from environmental review

**Purpose**

Extend the ability to enforce Ordinance No. 2021-475 to allow dog owners to have their dogs off-leash during specific posted days and times at the Hillview Baseball Field between the end of the designated 6-month pilot period of September 28, 2021, and until such time a recommendation from the PARC is forwarded to Council.

**Background**

At its regular meeting of November 10, 2021, Council received a presentation and recommendations from the Parks and Recreation Commission including the establishment of an off-leash hours pilot program at the Hillview Baseball Field for a trial period of nine (9) operational months, subject to COVID guidelines.

Council directed staff to return to Council with a 6 month, off-leash pilot program at the Hillview Baseball Field, including recommendations for program hours and an evaluation of the program.



**Subject:** Hillview Baseball Field Off-Leash Pilot Program Extension

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On February 9, 2021, Council introduced the Hillview Baseball Field Off-Leash Pilot Program Ordinance and waived its reading with minor changes. In addition, Council provided input on the rules and directed staff to measure the success of the program with the following methods:

1. Feedback from residents and users regarding the program (survey)
2. Include impact of reduced unlawful activity – analyze data before and after pilot program
3. Evaluation of incidents reported to Animal Control and the Police Department
4. Evaluation of actual cost vs expected costs
5. Legal issues
6. Field conditions
7. Attendance

At its regular meeting of February 23, 2021, Council held a Second Reading of Ordinance No. 2021 -475. As amended, Council adopted the Ordinance to allow dog owners to have their dogs off-leash during the following days and times:

**April to September (6 months)**

<u>Days</u>	<u>Morning</u>	<u>Afternoon/Evening</u>
Monday thru Friday	7 to 9 am	7 pm to 9pm
Saturday and Sunday	7 to 9 am	5 pm to 9pm

All City Park turf areas are closed for annual maintenance from mid-November through January, including the Hillview Baseball Field.

**Discussion/Analysis**

The Off-Leash Pilot Program Subcommittee is made up of Vice Chair Teresa Morris and Commissioner John Corrigan. The Subcommittee has worked closely with Recreation and Maintenance staff to gather information from several sources to assess the overall success of the program and determine recommendations for the Parks and Recreation Commission review on Wednesday, October 13 at 7 pm.

Data will be collected from the following sources:

- Los Altos Police Department



**Subject:** Hillview Baseball Field Off-Leash Pilot Program Extension

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- Animal Control
- City Website Off-Leash Survey
- Recreation and Park Maintenance Staff
- Off-Leash Pilot Program Subcommittee
- Other public correspondence

Per the Ordinance 2021-475,

**SECTION 4. SUNSET:**

Unless extended by resolution of the City Council, this ordinance shall expire automatically and shall be of no further force and effect beginning on the 181st day after the effective date hereof. Nothing herein is intended to prohibit the City Council from repealing this ordinance sooner. Staff and the Parks and Recreation commission shall return to the City Council no later than 60 days after the end of the 181 days of the pilot program.

As intended, the pilot program commenced on April 1, 2021. According to the Ordinance timelines, the 181st day of the pilot program is Tuesday, September 28, 2021. The 60th day following the pilot program is Saturday, November 27, 2021.

Due to the Thanksgiving holiday the regular November 23, 2021, Council meeting has been rescheduled for Tuesday, November 30, 2021. It is anticipated that the PARC will be forward their findings and recommendation at that meeting.

It is recommended that Council consider the adoption of Resolution No. 2021-50, extending the off-leash pilot program at the Hillview Baseball Field and making findings pursuant to CEQA that the Resolution is categorically exempt from environmental review.

**Options**

- 1) Adopt Resolution No. 2021- 50: extending the off-leash pilot program at the Hillview Baseball Field and making findings pursuant to CEQA that the Resolution is categorically exempt from environmental review

**Advantages:** Provides the ability to enforce the Ordinance while users continue to use the off-leash program between September 28, 2021, and until such time that the City Council receives a recommendation from the PARC and Council takes action.



**Subject:** Hillview Baseball Field Off-Leash Pilot Program Extension

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**Disadvantages:** Opposition from neighbors and residents. Additional time, cost, and resources.

- 2) Do not adopt Resolution No. 2021- 50: extending the off-leash pilot program at the Hillview Baseball Field and making findings pursuant to CEQA that the Resolution is categorically exempt from environmental review

**Advantages:** Potential impacts to the Hillview Baseball Field will be limited. No opposition from concerned neighbors and residents. Saves additional time, cost, and resources.

**Disadvantages:** Residents will not have a legal option within the city of Los Altos to take their dogs off-leash during the review period of approximately 60 days or two months. The number of unlawful dogs off-leash in parks may increase. Dog-owners will have to go outside of Los Altos to run their dogs off-leash, reducing the opportunity to socialize dogs and owners within community.

**Recommendation**

The staff recommends Option 1

**RESOLUTION NO. 2021-50**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
EXTENDING THE OFF-LEASH PILOT PROGRAM AT THE HILLVIEW  
BASEBALL FIELD, AND MAKING FINDINGS PURSUANT TO CEQA THAT  
THE RESOLUTION IS CATEGORICALLY EXEMPT FROM  
ENVIRONMENTAL REVIEW**

**WHEREAS**, the California Constitution, Article XI, Section 7, confers on the City the power to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

**WHEREAS**, in accordance with Los Altos Municipal Code Section 5.08.010, dogs are prohibited off-leash in Los Altos parks; and

**WHEREAS**, residents have expressed an interest in having a public place within the Los Altos community where dogs may be allowed off-leash; and

**WHEREAS**, the City's Parks and Recreation Commission (PARC) recommended a pilot off-leash program during specific days and hours; and

**WHEREAS**, City staff recommended a limited, temporary suspension of Los Altos Municipal Code Section 5.08.010 to facilitate a pilot off-leash program as recommended by PARC; and

**WHEREAS**, on February 23, 2021, the City Council adopted Ordinance No. 2021-475 that suspended Los Altos Municipal Code Section 5.08.010 to facilitate a pilot off-leash program only at the Hillview Baseball Field; and

**WHEREAS**, the pilot off-leash program, if extended, is not anticipated to have any significant adverse effect upon the health, safety, welfare, or physical environment of the Los Altos community; and

**WHEREAS**, the Hillview Baseball Field will be closed November 15 through January 2022 for annual maintenance; and

**WHEREAS**, pursuant to Ordinance No. 2021-475, the pilot off-leash program is scheduled to terminate on September 28, 2021; and

**WHEREAS**, the City Council desires to extend the pilot off-leash program between September 28, 2021, and until such time that the City Council receives a recommendation from the PARC and Council takes action.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Los Altos as follows:

**SECTION 1.** Pursuant to Ordinance No. 2021-475, Section 4, the pilot off-leash program at Hillview Baseball Field shall be extended until the City Council receives the PARC

recommendation and provides direction on a more permanent off-leash program at Hillview Baseball Field.

**SECTION 2. CEQA.** The City Council finds the adoption of this Resolution to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) (Common Sense Exemption), 15301 (Existing Facilities), 15304 (Minor Alterations to Land), 15305 (Minor Alterations to Land Use Restrictions), and 15306 (Information Collection), in that the pilot off-leash program established hereby is not anticipated to have any significant adverse impact upon the existing environment, will be temporary in nature, will involve the use of an existing recreational facility, will not significantly alter existing facilities or existing land use restrictions, and is intended primarily to study the impacts of off-leash programs to inform future policy choices. The City Council also finds that none of the exceptions set forth in CEQA Guidelines Section 15300.2 to the availability of the foregoing categorical exemptions applies to the program or project authorized by this Resolution. The City Manager or designee is hereby directed to prepare and file a notice of exemption in connection with this Resolution, pursuant to CEQA Guidelines Section 15062.

**SECTION 4. EFFECTIVE DATE.** This Resolution No. 2021-50 shall be effective upon adoption.

The foregoing Resolution was adopted on September 21, 2021, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Neysa Fligor, MAYOR

Attest:

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Andrea Chelemengos, MMC, CITY CLERK



**ORDINANCE NO. 2021-475****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
AUTHORIZING AN OFF-LEASH PILOT PROGRAM AT THE HILLVIEW  
BASEBALL FIELD AND MAKING FINDINGS PURSUANT TO CEQA THAT  
THE ORDINANCE IS CATEGORICALLY EXEMPT FROM  
ENVIRONMENTAL REVIEW**

**WHEREAS**, the California Constitution, Article XI, Section 7, confers on the City the power to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

**WHEREAS**, in accordance with Los Altos Municipal Code Section 5.08.010, dogs are prohibited off-leash in Los Altos parks; and

**WHEREAS**, residents have expressed an interest in having a public place within the Los Altos community where dogs may be allowed off-leash; and

**WHEREAS**, the City's Parks and Recreation Commission has recommended an off-leash pilot program during specific days and hours; and

**WHEREAS**, City staff recommend a limited, temporary suspension of Los Altos Municipal Code Section 5.08.010 to facilitate a pilot program as recommended by the Parks and Recreation Commission; and

**WHEREAS**, the City Council desires to suspend Los Altos Municipal Code Section 5.08.010 as recommended by staff to facilitate a pilot off-leash program only at the Hillview Baseball Field; and

**WHEREAS**, the proposed pilot program is not anticipated to have any significant adverse effect upon the health, safety, welfare, or physical environment of the Los Altos community; and

**WHEREAS**, the purpose of the temporary pilot program is to gauge the likely success and potential impacts of a more permanent community wide off-leash policy.

**NOW THEREFORE**, the City Council of the City of Los Altos does ordain as follows:

**SECTION 1. AUTHORIZATION OF PILOT PROGRAM:** Notwithstanding any provision of the Los Altos Municipal Code including, without limitation, provisions of Los Altos Municipal Code Section 5.08.010, a pilot off-leash program is hereby established at the Hillview Baseball Field. Beginning on the effective date of this ordinance, as set forth in Section 8 hereof, dogs shall be allowed off-leash at the Hillview Baseball Field subject to the rules and regulations set forth in Section 2 of this ordinance.

**SECTION 2. OFF-LEASH RULES AND REGULATIONS:** The limited, temporary suspension of Los Altos Municipal Code Section 5.08.010 authorized in Section 1, above, shall be subject to compliance with the following rules and regulations:

- A. Dogs shall be allowed without physical restraint only in the outfield turf area of the Hillview Baseball Field generally depicted in **Exhibit A** hereto.
- B. Off-leash use shall be limited to the hours of 7 a.m. to 9 a.m. Sunday through Saturday, 7 p.m. to 9 p.m. Monday through Friday, and 5 p.m. to 9 p.m. on Saturdays and Sundays.
- C. No pet or domesticated animal shall be allowed to participate in the off-leash pilot program established by this ordinance except for dogs that are: (1) subject to the reasonable control of their owners or handlers, (2) properly licensed pursuant to applicable law, and (3) not “vicious” as defined by Los Altos Municipal Code Section 5.04.005.
- D. Owners and handlers shall clean up after their own dogs and shall keep their dogs under reasonable control as necessary to ensure the safety of people and pets and to prevent destruction of property.
- E. Owners and handlers shall comply with every regulation for use of the park established by the City Manager as set forth in Section 3.
- F. In the use of the park as authorized by this ordinance, owners and handlers shall obey every lawful instruction of any peace officer or of the City Manager or designee.

Any violation of the foregoing rules shall constitute an unlawful violation of Los Altos Municipal Code Section 5.08.010.

**SECTION 3. CITY MANAGER AUTHORITY:** The City Manager may establish additional rules and regulations for off-leash use of the Hillview Baseball Field. Such rules shall become effective immediately upon being posted at the park and made available for review by members of the public at the official website of the City’s Recreation and Community Services Department and Municipal Maintenance Services Department. If the City Manager finds that the off-leash pilot program is creating a significant adverse effect upon the health, safety, welfare, or physical environment of the Los Altos community, the City Manager may suspend the off-leash pilot program by posting notice of such suspension at the baseball field and online at the official website of the City’s Recreation and Community Services Department and Municipal Maintenance Services Department. Unless sooner rescinded by the City Manager or overruled or extended by the City Council, such suspension shall remain in effect until the later of 21 days following the suspension or the day after the next regular meeting of the City Council.

**SECTION 4. SUNSET:** Unless extended by resolution of the City Council, this ordinance shall expire automatically and shall be of no further force and effect beginning on the 181<sup>st</sup> day after the effective date hereof. Nothing herein is intended to prohibit the City Council from repealing this ordinance sooner. Staff and the Parks and Recreation commission shall

return to the City Council no later than 60 days after the end of the 181 days of the pilot program.

**SECTION 5. CONSTITUTIONALITY.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 6. CEQA.** The City Council finds the adoption of this ordinance to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) (Common Sense Exemption), 15301 (Existing Facilities), 15304 (Minor Alterations to Land), 15305 (Minor Alterations to Land Use Restrictions), and 15306 (Information Collection), in that the pilot program established hereby is not anticipated to have any significant adverse impact upon the existing environment, will be temporary in nature, will involve the use of an existing recreational facility, will not significantly alter existing facilities or existing land use restrictions, and is intended primarily to study the impacts of off-leash programs to inform future policy choices. The City Council also finds that none of the exceptions set forth in CEQA Guidelines Section 15300.2 to the availability of the foregoing categorical exemptions applies to the program or project authorized by this ordinance. The City Manager or designee is hereby directed to prepare and file a notice of exemption in connection with this ordinance, pursuant to CEQA Guidelines Section 15062.

**SECTION 7. PUBLICATION.** This ordinance shall be published as provided in Government Code section 36933.

**SECTION 8. EFFECTIVE DATE.** This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on February 9, 2021 and was thereafter, at a regular meeting held on February 23, 2021 passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Neysa Fligor, MAYOR

Attest:

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Andrea Chelemengos, CMC, CITY CLERK



**DISCUSSION ITEM**

**Agenda Item # 6**

**AGENDA REPORT SUMMARY**

**Meeting Date:** September 21, 2021

**Subject:** Response to AB 361 – City Council and Commission meetings

**Prepared by:** Jon Maginot, Deputy City Manager

**Approved by:** Gabe Engeland, City Manager

**Attachment(s):**

1. None

**Initiated by:**

Staff

**Previous Council Consideration:**

None

**Fiscal Impact:**

None

**Environmental Review:**

Not applicable

**Policy Question(s) for Council Consideration:**

- Does the City Council wish to continue virtual Council and Commission meetings or resume in-person meetings?

**Summary:**

- AB 361 was signed into law on September 15, 2021 and allows agencies under an emergency declaration to continue holding virtual meetings
- The City remains under an emergency declaration due to the COVID-19 pandemic.

**Staff Recommendation:**

Provide direction to staff on the holding of City Council and Commission meetings

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City Manager

GE

**Reviewed**

City Attorney

JH

Finance Director

JM

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**Subject:** Response to AB 361 – City Council and Commission meetings

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**Purpose**

To provide direction on City Council and Commission meetings

**Background**

On August 24, 2021, the City Council voted unanimously that upon expiration of State Executive Orders pertaining to virtual meetings, the City Council would hold Council meetings in the new Community Center until the City Council Chambers are completed. This action was in response to the pending expiration of Executive Orders N-25-20 and N-29-20. These orders suspended certain elements of the Brown Act and specifically allow for Legislative Bodies (City Council, Commissions, Committees, etc.) to hold meetings entirely electronically with no physical meeting place.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21 which states that the provisions in Executive Order N-29-20 suspending certain elements of the Brown Act will continue to apply through September 30, 2021. Based on this the City Council took the action noted on August 24, 2021.

**Discussion/Analysis**

On September 15, 2021, Governor Newsom signed AB 361 into law. This bill leaves existing Brown Act teleconferencing rules in place, but would except an agency from complying with teleconferencing rules during a declared state of emergency or local emergency. The City of Los Altos is currently under a state of emergency proclamation due to the COVID-19 pandemic.

Under AB 361, the City has the option to continue holding virtual meetings as has been done for the past 18 months. AB 361 does sunset on January 31, 2022.

Based on the passage of AB 361, staff is requesting direction from Council on whether to continue holding virtual meetings or to begin holding in-person meetings in the new community center.

**Alternatives**

- 1) Continue holding City Council meetings virtually
- 2) Hold in-person City Council meetings in the new Community Center

**Recommendation**

The staff recommends Council discuss the alternatives and provide direction on the holding of City Council meetings.



**DISCUSSION ITEM**  
**AGENDA ITEM # 7**

**AGENDA REPORT SUMMARY**

**Meeting Date:** September 21, 2021

**Subject:** Council Legislative Subcommittee Update And Potential Council Action

**Report, if any, to be given verbally at the City Council meeting**

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City Manager	<b>Reviewed By:</b>	City Attorney	Finance Director
<i>CJ</i>		<i>JH</i>	<i>SE</i>

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City of Los Altos Tentative Council Agenda Calendar  
**September 13, 2021**

All items and dates are tentative and subject to change unless a specific date has been noticed for a legally required Public Hearing. Items may be added or removed from the shown date at any time and for any reason prior to the publication of the agenda eight days prior to the next Council meeting.

Date	Agenda Item (Date identified by Council)	Agenda Section (Consent, Discussion Item - note in red if Public Hearing)	Dept.
October 12, 2021	<b>REGULAR MEETING</b>		
	Study Session - Community Center post construction review (Tent.)		
	Study Session Complete Streets Master Plan		
	Proclaiming October not only Breast Cancer Awareness Month but also Domestic Violence Awareness month	Proclamation	
	Special Item John Furtado. He will be announced as the Finance Director		
	Ordinance No. 2021-481 Firearm Safe Storage Ordinance – Adopt an ordinance of the City Council of the City of Los Altos amending the Los Altos Municipal Code by adding a new Chapter 7.29 entitled “Safe Storage of Firearms” in the City of Los Altos and making findings pursuant to California Environmental Quality Act that this ordinance is categorically exempt from environmental review. (A Galea)		
	City of Los Altos – Title 14, Zoning Amendment – Public Land Protection Ordinance Second reading/Adoption Proposed ordinance adding a Public Land Protection (PLP) overlay district to Title 14, Zoning, of the Los Altos Municipal Code that will provide for the protection of City owned property by requiring voter approval of the sale or transfer of title of any City-owned land to which the PLP overlay		

	designation is applied and voter approval to remove the PLP designation once it has been applied. The proposed Ordinance relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is exempt from California Environmental Quality Act (“CEQA”) CEQA Guidelines Section 15061(b)(3), which states the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment” as the Ordinance has no potential to result in a direct, or reasonably foreseeable, indirect impact on the environment. <i>Project Manager: Community Development Director Biggs</i>		
	Los Altos City Council grant to WomenSV		m
	Construction Contract Award: Sanitary Sewer Video Inspection, Project WW-01011”		
	Los Altos Community Center Notice of Completion		
	El Camino Real Bike Lanes		
	Park In Lieu Fees (Tent.) Impact Fees		
	a RHNA/Housing Element Overview with Jon	Disc. Item	
	Housing Element Community Outreach Plan		
	review the Tentative Council Calendar.		
	Approve Update of Public Arts Guidelines		
	Los Altos EOC Design Review (tent)		
	Fee Schedule		
	Council Member Censure Policy		J. Houston
<b>October 26, 2021</b>	<b>REGULAR COUNCIL MEETING</b>		
	“Amendment to the City’s Purchasing Policy”		
	Fiscal Year End tentative report – (if needed)		
	Parklet Program Ext.	Disc. Item	AC
	Community Center – Construction – Final Update		
<b>November 2, 2021</b>	<b>JOINT WITH COMMISSIONS</b>		
<b>November 9, 2021</b>	<b>REGULAR MEETING</b>		
	Retreat Format Goals Setting Session Planning for 2022- /Commission Work Plan alignment/Budget/CC Priorities Goals alignment*		
<b>November 30, 2021</b>	<b>REGULAR COUNCIL MEETING</b> – in place of 11/23 mtg the week of Thanksgiving		



	Construction Contract Award: Fremont Avenue Pedestrian Bridge Rehabilitation Project, TS-01055		
	Off-Leash Dog Park Pilot Program -		
<b>DECEMBER 7, 2021</b>	<b>COUNCIL REORGANIZATION</b>		
<b>December 14, 2021</b>	Budget CIP review		
	CAFR and Year End – 1st meeting December		
	2022 City Council Meeting Calendar		

## Future Agenda Topics

To be scheduled	Agenda Item (Date identified by Council)	Agenda Section (Consent, Discussion/Action - note in red if Public Hearing)	Department
	STUDY SESSION for Community Center Operational Implementation Plan		
	Presentation of Proclamation to Michael Handel Proclamation, Retired Los Altos Firefighter	Special Presentation	
	policy on use of City land by non-profits.		
	Proposed City policy that modifies the environmental analysis standard for circulation impacts from a Level of Service (LOS) analysis to a Vehicle Miles Traveled (VMT) analysis.	Public Hearing	GP
	COVID Safe Meeting Protocols TBD		
	Council Strategic Priorities Implementation Plan (Tent.)		
Before end of yr	info on Cuesta speed tables		
	Council Financial Subcommittee Recommendations: Discuss recommendations of the Council Financial Subcommittee regarding reporting of City financial information (Vice Mayor Enander)		
	Museum's plans for a new main exhibition in our permanent 2nd floor gallery		
	BMR waitlist process proposal by Alta Housing		
	5150 El Camino Road - Modification	Public Hearing?	
	League of California Cities – Role and Representation	Presentation/Discussion	Council Initiated
	See Me Flags		Engineering
	Pavement Management Program Update – 2019 Pavement Condition Index - The staff recommends Scenario 5 – Increase Current PCI to 75 by 2026	Discussion Item	James Sandoval, Engineer

			ring Services Director
	440 First Street Design Review		Commu nity Develop ment
	4350 El Camino Real Design Review		Commu nity Develop ment
	Healthy Cities Initiative		Recreati on & Commu nity Services
	Housing Impact vs. Housing in-Lieu Discussion		Commu nity Develop ment
	BAT/Neighborhood Watch program expansion		PD/CM O
	Complete Streets Master Plan		Enginee ring Services
	Community Engagement program		CMO
	Comprehensive multi-modal traffic study (analysis of recent projects projected parking, trip generation, & traffic impacts to actuals; ECR impacts should include adjacent streets)		Engr. Svcs/Pla nning
	Off-street EV charging stations in front of homes – include in Reach Codes; refer to Environmental Commission?		Planning
	Schedule Joint Los Altos/Los Altos Hills Council meeting (6-9 months: August – October)		
	Housing Element Update		Commu nity

			Develop ment
	San Francisco PUC permit		Enginee ring Services