



**MINUTES OF THE REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF LOS ALTOS
7:00 P.M., TUESDAY, OCTOBER 12, 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

Mayor Fligor led the Council in the Pledge.

REPORT ON CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *40 Main Street Offices LLC v. City of Los Altos, et al.*
Superior Court of the State of California, County of Santa Clara Case No. 19CV349845
2. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *California Renters Legal Advocacy and Education Fund, San Francisco Bay Area Renters Federation, Victoria Fierce, and Sonja Trauss v. City of Los Altos, et al.*
Superior Court of the State of California, County of Santa Clara Case No. 19CV350422
3. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *Satish Ramachandran v. City of Los Altos, et al.*
United States District Court, Northern District of California
Case No. 5:18-cv-01223-HRL
4. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Name of Case: *Satish Ramachandran v. Best, Best and Krieger, a limited liability Partnership; Christopher Diaz; Christina Hickey; Kirk Ballard; David Kornfield; Christopher Jordan; Pamela Jacobs, and Does 1-20*
United States District Court, Northern California District

Case number: 5:20-cv-03963-NC

5. Public Employment: City Attorney Performance Review
Pursuant to Government Code Section 54957 (b)

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. City Attorney Houston was not present during closed session items 1 and 2.

SPECIAL ITEM

- Introduction of John Furtado, Finance Director

City Manager Engeland and Human Resources Manager Silipin introduced Finance Director Furtado. The Council welcomed Mr. Furtado and Finance Director Furtado commented.

SPECIAL PRESENTATION

- Presentation of Proclamation Proclaiming October Domestic Violence Awareness Month – Presentation of Los Altos City Council Grant to WomenSV

Mayor Fligor commented and thanked WomenSV for the services provided to the community, read the proclamation aloud and presented it along a grant from the City to Ms. Darlene of WomenSV.

Ms. Darlene, Executive Director of WomenSV, thanked the Council and commented on the efforts of WomenSV.

- Presentation of Proclamation Proclaiming October as Breast Cancer Awareness Month

Mayor Fligor read the Proclamation aloud.

- Presentation of Proclamation Proclaiming October 17-24 Flood Preparedness Week

Senior Planner/Flood Administrator Golden, noted the correct dates should be October 23 – October 30. He read the Proclamation aloud and thanked the Council for the Proclamation.

CHANGES TO THE ORDER OF THE AGENDA

There were no changes.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Bette Houtchens provided comments.

CONSENT CALENDAR

1. City Council Minutes: Approve the Minutes of the September 21, 2021, Regular Meeting (A. Chelemengos)
2. Contract Extension and Additional Budget for Traffic Signal Maintenance Services: Authorize the City Manager to execute a contract amendment with Bear Electrical Solutions, Inc. to extend the term for FY 21/22 and add funds in the amount of \$75,000 for a total not to exceed project budget of \$306,000 for on-call traffic signal maintenance services. (G Watanabe)
3. Contract Award: On-Call City Wide Tree Maintenance Services: Authorize the City Manager to execute a not-to-exceed contract with West Coast Arborist in the amount of \$110,000 to provide on-call city wide tree maintenance services. (M. Hernandez)
4. 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)
5. Emergency Declaration Resolution: Adopt Resolution No. 2021-51 extending the declaration of a local emergency due to the COVID-19 pandemic (J. Maginot)
6. Professional Services Agreement for Various Engineering Services: Authorize the City Manager to execute an Agreement with Bellecci and Associates, Inc. to provide funds for assistance with Various Engineering Services for FY2021-2022 and to annually execute an Amendment to that Agreement for Various Engineering Services through FY 2023-2024. (A. Trese)
- 6A. Contract Award: Sanitary Sewer Video Inspection, Project WW-01011- Award the Base Bid and Add Alternate Bid No. 1 for the Sanitary Sewer Video Inspection, Project WW-01011 to Pipe and Plant Solutions, Inc. in the amount of \$397,385.65 and authorize the City Manager to execute a contract in the amount of \$397,385.65 and up to 15% contingency on behalf of the City (A. Trese) Item added 10.5.2021

Council Member Lee Eng moved to approve the Consent Calendar. The motion was seconded by Council Member Weinberg and the motion passed 5-0 with the following roll call vote:

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

PUBLIC HEARINGS - None

DISCUSSION ITEMS

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7. Proposed Amendments to City of Los Altos Guidelines for Public Art: Review and approve the proposed amendments, as recommended by the PAC, to the City of Los Altos Guidelines for Public Art.

Recreation Manager Chew provided a staff report and answered questions from the Council.

Public Arts Commissioner Waldman was called upon to answered questions from the Council.

The Mayor invited Public Comment. The following individuals commented: Monica Waldman, Hilary King and Teresa Morris.

Following Council discussion, Vice Mayor Enander moved to approve the proposed amendments to the Los Altos Guidelines for Public Arts with corrections to typographical errors (noted by Council Member Weinberg), and with the addition of the words “or member of their immediate family” in the paragraph in Section 3 discussing criteria for recusal from voting; addition of the same recusal criteria in Section 6; addition of language at the beginning of Section 6 clarifying and differentiating between the two partnership programs, and addition of language to Section 6 that specifies that the decision to award the \$1,000 stipend is the decision of the Public Arts Commission and shall be based upon criteria as outlined in the Los Altos Guide for Public Arts. The motion was seconded by Council Member Lee Eng and the motion passed with the following 5-0 roll call vote:

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

There was Council consensus that the Commission should report back to the Council on the new guidelines with any recommended changes.

8. City Council Member Censure Policy: Consider Draft City Council Censure Policy; provide direction to staff

City Attorney Houston provided a report and answered questions from the Council.

Mayor Fligor invited public comment. The following individuals commented: Frank Martin, Roberta Phillips, Terri Couture, Teresa Morris, Tony G., Jeanine Valadez (with time ceded from Toni Moos, Tanya Maluf, and Reynette Au), Joe Beninato, Katherine Wurzberg and Freddie Wheeler.

Following Council discussion, Council Member Weinberg moved to adopt the proposed policy as renamed to Accountability Policy of the Los Altos City Council, with the addition of a preamble as read by Mayor Fligor, addition of language to clarify that the same Council Norm or Policy

must be violated before action can be taken to censure or admonish a Council Member; and addition of language that clarifies that an investigation of the alleged violations is not required, but that any Council Member may request and be granted an investigation of the alleged violation; and addition of language specifying that any formal action to censure or admonish a Council Member must be placed on an agenda of a Regular Council meeting. The motion was seconded by Council Member Meadows and the motion passed 3-2 with the following roll call vote:

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

At 9:40 p.m., Mayor Fligor called for a brief recess. At 9:51 p.m., the meeting was reconvened.

9. Formation of City Council Summer Intern Subcommittee: Discuss formation of a City Council Summer Intern Program Subcommittee; appoint no more than two Council members; and provide direction to the Subcommittee on its role and scope.

Mayor Fligor provided background information on the item.

There were no members of the public wishing to comment.

Council Member Lee Eng moved that the Council form a City Council Summer Intern Program Subcommittee and appoint Mayor Fligor and Vice Mayor Enander to the subcommittee with direction to draft a summer intern program proposal to present to the City Council for implementation summer of 2022. The motion was seconded by Council Member Meadows and the motion passed 5-0 with the following roll call vote:

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

10. 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.

Vice Mayor Enander and Council Member Weinberg presented the final update and answered questions from the Council.

Salim provided public comment.

INFORMATIONAL ITEMS ONLY

- Tentative Council Calendar

No comments/No action taken.

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

City Manager Engeland reported on the ICMA Conference, various administrative matters and the scheduling of upcoming agenda items and study sessions.

Mayor Fligor inquired about a report from the Lehigh Subcommittee. The Committee members indicated a readiness to be placed on the next Council agenda to report out. Mayor Fligor reported that at the next meeting a group of citizens would be bring forth a presentation on a potential Los Altos Theater.

Council Member Lee Eng, with support from Vice Mayor Enander, requested that an item be placed on a future Council agenda to discuss opportunities for empathy training. In addition, with unanimous Council support Council Member Lee Eng requested a matter be placed on a future Council agenda to discuss the condition of the tree canopy in Los Altos and how to protect and preserve it.

Both Council Member Weinberg and Mayor Fligor reported on their attendance at the Annual League of California Cities Conference.

ADJOURNMENT

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

ATTEST:

Neysa Fligor, MAYOR

Andrea M. Chelemengos MMC, CITY CLERK