



**MINUTES OF THE REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF LOS ALTOS
7:00 P.M., TUESDAY, NOVEMBER 30, 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

Ella Fei, of Girl Scout Troop 60615, led the Council in the Pledge of Allegiance.

REPORT ON CLOSED SESSION

1. 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 to conduct a performance review of the City Attorney. She stated that there was nothing to report and thanked the City Attorney for her service.

SPECIAL PRESENTATION

- Recognition of Outgoing Los Altos Commissioners and Committee Members

Mayor Fligor recognized and thanked the following individuals for their past service to Los Altos in the capacity of City Commissioners Autumn Looijen, Scott Spielman, Tanya Lindermeier, James Martin, Amina Yee, David Horine, Ginny Strock, Paula Rini, Nancy Ellickson, Doris Hawks Torbeck, Ashlynn Tusneem, Connie Hong, Tom Harpaz, Jessica Young Dhana Pawar and Katherine Mandle.

CHANGES TO THE ORDER OF THE AGENDA

There were no changes made.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None

CONSENT CALENDAR

1. **City Council Minutes:** Approve the Minutes of the November 2, 2021, Regular Meeting
2. **Quarterly Investment Portfolio Report:** Receive the Investment Portfolio Report through September 30, 2021
3. **Contract Amendment:** Approve and authorize the City Manager to execute Amendment #1 to the existing Professional Services Agreement between the City of Los Altos and Bellecci & Associates for inspection services for the Annual Street Resurfacing and City Alley Resurfacing Project. The agreement will amend the not-to-exceed amount from \$64,688 to \$82,516
4. **Ordinance No. 2021-477 - Restriction on the Los Altos Community Center Site:** Adopt Ordinance No 2021-477 an ordinance of the City Council of the City of Los Altos adding a new Chapter, 11.13, entitled “Restriction on the Los Altos Community Center Site” to Title 11, Miscellaneous Property Regulations, of the Los Altos Municipal Code that will prohibit: (1) the sale or transfer of title of the Los Altos Community Center Site without voter approval
5. **Resolution No. 2021-58 -Suicide Prevention Policy** – Adopt Resolution No. 2021- 58 establishing a Suicide Prevention Policy

Vice Mayor Enander moved to approve the Consent Calendar. The motion was seconded by Council Member Lee Eng.

Consent Calendar Items 1,2, 3, and 5 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

Consent Calendar Item 4 passed 3-2 with the following roll call vote:

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

PUBLIC HEARINGS

6. **Park in-Lieu Fee Update:** Adopt Resolution No. 2021-56 of the City Council of the City of Los Altos modifying Park in-Lieu Fee on the FY 2021/22 Fee Schedule for the City of Los Altos. Continued from the meeting of November 9, 2021.

Mayor Fligor announced that Council had received a request from staff to continue this matter. She explained that she would open the public hearing and look for a motion to continue.

At 7:16 p.m. the public hearing was opened.

Council Member Weinberg moved that matter be continued. The motion was seconded by Council Member Meadows.

City Attorney Houston clarified that a new public Notice would be posted and distributed once the matter is scheduled and that public comments would be taken at that time.

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

7. Reconsideration of D20-0008 - Packard Foundation - 374 Second Street:

Reconsideration of Design Review Approval (D20-0008) for parking lot modifications and installation of carport structure at 374 Second Street and affirm the October 26, 2021, Council approval to allow the modification of the existing parking lot and construction of the carport structure.

Mayor Fligor outlined the procedure for the matter.

Planner Golden spoke to the staff report and offered to answer questions.

Council Member Weinberg referenced the Municipal Code and stated that he had initiated a reconsideration of the matter based on the absence of the information that of 18 protected trees on the site 15 are proposed to be removed and not replaced and because of that, he stated he felt that Council did not have sufficient facts to warrant an affirmative finding relative to the landscaping.

Craig Neyman, representing the applicant, spoke to an amendment that the applicant proposes with regard to the project landscaping and answered questions from the Council.

Dale Leda, BKF Engineers also answered questions from the council relative to the project.

The City Attorney and Senior Planner Golden answered questions from the Council.

Mr. Neyman further commented.

The following individuals commented: Teresa Morris, Roberta Phillips Scott Spielman, Jeanine Valadez, Joe Beninato and Gary Hedden.

Council discussion commenced.

Council Member Weinberg moved that the City Council reconsider the previous approval and now approve the application, with the modifications proposed by the applicant in a map

presented at this (November 30, 2021) Council meeting, subject to staff's review and approval of the landscape plan's feasibility and viability and is in compliance with City Codes and allowing for the removal of Trees 31, 32, 33, 34, and that there be no less than 11 trees against the alley and 1 additional tree be placed in the area depicted in the lower left corner of the map. The motion was seconded by Vice Mayor Enander

Council Member Lee Eng expressed concern with the lateness of proposed amendment received from the applicant, the lack of indication of size of the proposed replacement trees and stated she had other unanswered questions relative to the proposed amended landscape plan and requested the motion indicate replacement tree sizes.

The motion passed 4-0-1 with the following roll call vote:

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

At 8:54 p.m. Mayor Fligor called for a brief recess. At 9:03 p.m., Mayor Fligor reconvened the meeting and announced that agenda Item # 11 would be continued to the next Council meeting.

8. **Resolution No. 2021-57 Objective Standards for Single Family Residences:** Hold Public Hearing and Adopt Resolution of the City Council of the City of Los Altos establishing Objective Standards for Single Family Residences to implement Senate Bill 9

Community Development Director Biggs, Planner Liu and City Attorney Ramakrishnan provided a report and answered questions from the Council

The following individuals commented: Joe Beninato, Roberta Phillips, Brian Jones, Salim Damerdji, Jon Baer, Jeannine Valadez, and Teresa Morris.

Council discussion commenced. Council provided comments and directions for various edits throughout the document and to look into unanswered items identified.

Mayor Fligor moved that the Council direct staff to make the various amendments, as discussed and agreed upon, to the document and bring it back to the December 14, 2021, Council meeting for review and consideration for adoption. The motion was seconded by Vice Mayor Enander and the motion passed 5-0 with the following roll call vote:

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

At 10:54 p.m., Mayor Fligor called for a brief recess. The meeting was reconvened at 11:01 p.m. At that time Mayor Fligor announced that due to the hour, Agenda Item # 13 would be continued to the December 14, 2021, meeting.

DISCUSSION ITEMS

9. City of Los Altos Parklet Program Guide: Approve the City of Los Altos Parklet Program allowing restaurants to continue outdoor dining.

Economic Development Coordinator Carnesecca presented the proposed guide and answered questions from the Council.

The following individuals commented: Freddie Wheeler, Roberta Phillips, Curtis Cole, Jon Baer, Kim Mosley, Joe Beninato, Vicki, Bill Sheppard, Scott Hunter, Jeanine Valadez, Pete Dailey, and Scott Spielman.

Following Council discussion, Council Member Weinberg moved that the Council approve a permanent Parklet Program after the emergency order is lifted. The motion was seconded by Council Member Meadows.

Vice Mayor Enander moved that the Council adopt the Parklet Program as a pilot program for 1 year following the lifting of the Emergency order. The motion was seconded by Council Member Lee Eng.

The vote for the motions were called with the later motion being voted on first.

The motion made by Vice Mayor Enander seconded by Council Member Lee Eng failed with the following 3-2 roll call vote:

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

The first motion made by Council Member Weinberg, seconded by Council Member Meadows passed 3-2 with the following roll call vote:

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

Council Member Lee Eng moved that the Parklet Program be reviewed and evaluated by Council 1 year after its implementation following the lifting of the Emergency Order. The motion was seconded by Mayor Fligor and the motion passed unanimously 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. Memorandum of Understanding - Los Altos Stage Co.** Consider and approve execution of a Memorandum of Understanding (MOU) wherein the City of Los Altos agrees to hold certain Downtown Parking Plaza(s) for a period of up to five-years to allow for exploration of a downtown theater. (J. Houston)

Mayor Fligor introduced the matter. City Attorney Houston provided information and answered questions from the Council.

The following individuals commented: Pete Dailey, Curtis Cole, Jon Baer, Roberta Phillips (with time ceded from Janet Corrigan) Scott Spielman (with time ceded from Al Rooney), Joe Beninato and Bill Sheppard.

Following discussion in which Council requested minor edits and slight additions, Mayor Fligor moved that the Council approve the proposed Memorandum of Understanding, as amended. The motion was seconded by Council Member Weinberg and the motion passed 3-2 with the following roll call vote:

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

- 12. Formation of Council Subcommittee for a New Police Facility:** Consider formation of a City Council Police Facility Subcommittee, and if formed, appoint no more than two Council Members, and provide direction to the Subcommittee on its role and scope.

Council Member Weinberg introduced the matter as the Council Member who initiated this item. Harry Guy provided public comment on the matter.

Council Member Weinberg moved that the Council form a Council Subcommittee comprised of Council Members Weinberg and Meadows to investigate aspects of building a new police facility and to bring its findings to the Council. 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

INFORMATIONAL ITEMS ONLY

- None

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

No reports and no future agenda items added.

ADJOURNMENT

At 1:07 a.m., Wednesday, December 1, 2021, Mayor Fligor adjourned the meeting.

Neysa Fligor, MAYOR

ATTEST:

Andrea M. Chelemengos MMC, CITY CLERK

DRAFT