



**CITY COUNCIL MEETING  
MINUTES  
7:00 PM - Tuesday, April 11, 2023  
via Videoconference and In Person**

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**CALL MEETING TO ORDER**

At 7:04 p.m. Mayor Meadows called the meeting to order.

**ESTABLISH QUORUM**

**PRESENT:** Councilmembers Fligor (via Zoom), Lee Eng, Dailey, Vice Mayor Weinberg, Mayor Meadows

**ABSENT:** None

Pursuant to California Government Code Section 54953, Council Member Fligor participated in the meeting via videoconference. The videoconference location was identified in the notice for this meeting. Councilmember Fligor confirmed that she could hear the proceedings, attested to having posted the agenda properly at her location, and that the location was publicly accessible and that no members of the public were present with her during the meeting.

**PLEDGE ALLEGIANCE TO THE FLAG**

Councilmember Lee Eng led the Pledge of Allegiance.

**REPORT ON CLOSED SESSION**

There was no reportable actions for Closed Session.

**CHANGES TO THE ORDER OF THE AGENDA**

Mayor Meadows moved Item 3 "Military Equipment Policy" to the first item under Discussion Items on the agenda.

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

The following members of the public spoke during Public Comment:

- Maddy McBirny
- Freddie Wheeler
- Fariba
- Roberta Phillips
- Gary Hedden

**SPECIAL ITEM****A. Holocaust Remembrance Day**

The proclamation for Holocaust Remembrance Day was read aloud by Emma and Noah Weinberg.

**B. Introduction and welcome of the new City Clerk, Melissa Thurman**

Jon Maginot, Assistant City Clerk, introduced Melissa Thurman, City Clerk to the City Council and members of the public.

**CONSENT CALENDAR**

Motion by Lee Eng and Seconded by Dailey to approve Items 1 and 2 of the Consent Calendar. **Motion approved unanimously by roll call vote.**

1. **Minutes:** Approve Minutes of the City Council Regular meeting of March 28, 2023. (A. Rodriguez)
2. **Santa Clara Valley Runoff Pollution Prevention Program:** Approve Contract Amendment No. 4 with Santa Clara Valley Runoff Pollution Prevention Program (SCVURPPP); find that the approval of the amendment is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308 (E. McDannold)
3. **Military Equipment Policy:** Adopt Ordinance No. 2023-489 approving Los Altos Police Policy 709 pertaining to the funding, acquisition, and use of military equipment as mandated by Assembly Bill 481 (K. Krauss)

**PUBLIC HEARINGS**

4. **Single-use Foodware Accessories and Condiments Ordinance in Compliance with AB 1276:** Adopt the Single-use Foodware Accessories and Condiments Ordinance, in compliance with AB 1276, adding Chapter 6.45 (Single-use Foodware Accessories and Condiments) to Title 6 (Health and Safety) of the Los Altos Municipal Code by adopting by reference Chapter 5.2 (commencing with section 42270) of Part 3 of Division 30 of the Public Resources Code prohibiting a food facility from providing any single-use foodware accessory or standard condiment unless requested by consumer and authorizing City and County enforcement and penalties (T. Katbi)

Tania Katbi, Environmental Commission Liaison, presented the report.

Sally Meadows, Mayor, opened the Public Hearing.

There were no speakers during the Public Hearing.

Motion by Weinberg to close the public hearing. **Motion approved unanimously by roll call vote.**

Motion by Weinberg and Seconded by Fligor to adopt the Single-use Foodware, Accessories and Condiments Ordinance, in compliance with AB1276, adding Chapter 6.45 (Single-use Foodware Accessories and Condiments) to Title 6 (Health and Safety) of the Los Altos Municipal Code by adopting by reference Chapter 5.2 (commencing with section 42270) of Part 3 of Division 30 of the Public Resources Code prohibiting a food facility from providing any single-use foodware accessory or standard condiment

unless requested by consumer and authorizing City and County enforcement and penalties. **Motion carried unanimously by roll call vote.**

## DISCUSSION ITEMS

3. **Military Equipment Policy:** Adopt Ordinance No. 2023-489 approving Los Altos Police Policy 709 pertaining to the funding, acquisition, and use of military equipment as mandated by Assembly Bill 481

*This item was moved from the Consent Calendar.*

The following member of the public spoke regarding Item 3:

- Renee Rashid

Motion by Lee Eng and Seconded by Weinberg to approve Item 3 of the Consent Calendar “Military Equipment Policy: Adopt Ordinance No. 2023-489 approving Los Altos Police Policy 709 pertaining to the funding, acquisition, and use of military equipment as mandated by Assembly Bill 481. **Motion approved unanimously by roll call vote.**

5. **Prohibition on possession of firearms in sensitive places:** Introduce and waive further reading of Ordinance No. 2023-xxx prohibiting the possession of firearms in sensitive places (J. Maginot)

Jon Maginot, Assistant City Manager, presented the report.

There were no speakers regarding the item.

Councilmember Fligor requested that signage be placed at the entrances of city buildings explaining the ordinance for enforcement purposes.

Motion by Weinberg and Seconded by Meadows to introduce and waive further reading of an Ordinance, as amended, prohibiting the possession of firearms in sensitive places. **Motion carried unanimously by roll call vote.**

6. **Outdoor Dining Program:** Extend the current COVID parklet program, adopt the City of Los Altos Resolution No. 2023-XX to amend the Los Altos Parklet Program, adopt the City of Los Altos Resolution No. 2023-XX to establish the Los Altos Sidewalk Dining Program, and adopt the City of Los Altos Resolution No. 2023-XX to amend the Los Altos Outdoor Display Program. (A. Carnesecca)

Anthony Carnesecca, Assistant to the City Manager, presented the report.

The following members of the public spoke regarding the item:

- |                         |                    |
|-------------------------|--------------------|
| • Kim Mosley            | • Roberta Phillips |
| • Maddy McBirney        | • Victoria         |
| • Freddie Wheeler       | • Scott Hunter     |
| • Christopher Nicholson | • Joe Beninato     |
| • Jon Baer              | • Jerry Beltramo   |

After public comment, the City Council recessed at 8:55 p.m.  
The City Council reconvened at 9:04 p.m.

Due to an emergency situation during Council discussion, the City Council took a recess at 10:04 p.m. The City Council reconvened at 10:39 p.m.

Gabriel Engeland, City Manager, provided a brief update regarding the emergency situation.

The City Council chose to continue their discussion regarding the outdoor dining program and with the remaining items on the agenda.

The City Council agreed on the following amendments for the resolutions:

- Existing COVID-parklets be dismantled beginning on the first business day in January 2024
- Business owners may utilize propane heaters, with annual review, with the expectation to move to electric heaters once the infrastructure is in place.
- Allow for business owners to use both sidewalks and parklets, while complying with ADA and ABC restrictions and guidelines, and keeping a 5' pathway open for pedestrian access.
- The fee for the new parklets will be \$3 per square foot, to be reviewed annually.
- The City to purchase a mold for uniformity of the parklets.

M/S Fligor/Weinberg to adopt a Resolution to amend the Los Altos Parklet Program, with amendments. **Motion carried unanimously by roll call vote.**

M/S Fligor/Weinberg to adopt a Resolution to establish the Los Altos Sidewalk Dining Guide, with amendments. **Motion carried unanimously by roll call vote.**

M/S Fligor/Weinberg to adopt a Resolution to amend the Los Altos Outdoor display program, with amendments. **Motion carried unanimously by roll call vote.**

7. **Los Altos Reach Codes Update:** Introduce and Waive further reading of Ordinance No. 2023-XX to Amend Los Altos Municipal Code, Chapter 12.22 "Energy Code" and Chapter 12.26 "Green Building Code" (T. Katbi)

Tania Katbi and Casey Leedom, Environmental Commission Liaisons, presented the report.

The following members of the public spoke regarding the item:

- |                         |                    |
|-------------------------|--------------------|
| • Christy Miller        | • Roberta Phillips |
| • Eric Steinle          | • Mia Ravishankar  |
| • Freddie Wheeler       | • Dashiell Leeds   |
| • Christopher Nicholson | • Laura Teksler    |
| • Jon Baer              | • Joe Beninato     |

Motion by Fligor and Seconded by Dailey to introduce, by title only, and waive the first reading of an Ordinance to amend Los Altos Municipal Code, Chapter 12.22 "Energy Code" and Chapter 12.26 "Green Building Code." **Motion carried 4-1 by roll call vote with Councilmember Lee Eng opposed.**

8. **City Council and Commissions Teleconference Policy:** Add Section 11.13 Teleconferencing to the Council Norms & Procedures, which will allow Council members to teleconference under certain circumstances in accordance with state law, amend the Commission Handbook section "Teleconferencing" to allow Commission members to teleconference under certain circumstances in accordance with state law, and direct staff to come back with an update on this policy in six months. (A. Carnesecca)

**Jon Maginot, Assistant City Manager**, presented the report.

The following member of the public spoke regarding the item:

- Freddie Wheeler

The City Council provided the following direction:

- Commission members may participate in meetings via teleconference in accordance with State Law, Government Code Section 54953 and AB2449; and
- Members participating via teleconferencing under AB2449 must participate via audio and video visual methods; and
- Members may participate via teleconference no more than 20% of meetings in a calendar year; and
- At the beginning of a meeting, the Chair or Vice Chair will ask the member attending remotely to confirm the teleconference location was properly noticed according to State Law, the teleconference location is accessible to members of the public and whether anyone from the public is in attendance at the teleconference location with the member.

Motion by Lee Eng and Seconded by Dailey to add Section 11.13 Teleconferencing to the Council Norms & Procedures, which will allow Council members to teleconference under certain circumstances in accordance with state law, amend the Commission Handbook section "Teleconferencing" to allow Commission members to teleconference under certain circumstances in accordance with state law, and direct staff to come back with an update on this policy in six months. **Motion carried unanimously by roll call vote.**

#### INFORMATIONAL ITEMS ONLY

9. Tentative Council Calendar


Informational item only. No motion taken.

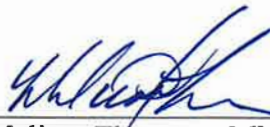
#### COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

- **Councilmember Lee Eng** – Announced Earth Day on April 22, 2023.
- **Vice Mayor Weinberg** – Thanked staff for organizing a recent Egg Hunt for Easter.
- **Mayor Meadows** – Announced a rescheduled Library Stakeholder meeting scheduled for April 20, 2023.

**ADJOURNMENT** – The meeting adjourned at 12:53 a.m.

The meeting minutes were prepared by Melissa Thurman, City Clerk, for approval at the meeting of April 25, 2023.

  
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Sally Meadows,  
Mayor

  
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Melissa Thurman, MMC  
City Clerk