



**MINUTES OF THE REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF LOS ALTOS
7:00 P.M., TUESDAY, NOVEMBER 9, 2021**

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

MEETING CALLED TO ORDER

At 7:07 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

Emmy Mosley 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 at 5:30 p.m., there was no action taken and nothing to report.

CHANGES TO THE ORDER OF THE AGENDA

There were no changes made.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Anne Paulson, Gary Hedden, Roberts Phillips, Pilar Furlong, Jeanine Valadez, and Joe Beninato provided comments.

CONSENT CALENDAR

1. City Council Minutes: Approve the Minutes of the October 26, 2021, Regular Meeting and November 2, 2021, Special Meeting.
2. Ordinance Nos. 2021-482 and 2021-483 California Senate Bill 1383: 1.) Adopt, as read by title only, Ordinance No. 2021- 482 amending Chapter 6.12 - Solid Waste Collection, Removal, Disposal, Processing and Recycling; and 2.) Adopt, as read by title only, Ordinance No. 2021- 483 adding Chapter 6.13 Edible Food Recovery Ordinance.

3. Contract Amendment: Authorize the City Manager to execute a contract amendment to the existing on-call engineering service agreement with BKF Engineers, Inc., which adds \$170,784.56 for a total not-to-exceed project budget of \$240,784.56.
4. Emergency Declaration Resolution: Adopt Resolution No. 2021-55 Extending the declaration of a local emergency due to the COVID-19 Pandemic.

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

5. Park in-Lieu Fee Update: Adopt a Resolution 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 - To Be Continued To The Meeting of November 30, 2021.

Council Member Weinberg moved to continue to the meeting of November 30, 2022, the Public Hearing on Park in-Lieu Fee Update: Resolution 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. 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

DISCUSSION ITEMS

6. Senate Bill 9 (SB 9) Implementation: Receive and discuss informational memorandum to the City Council regarding the adoption of single family residential objective zoning standards.

Guido Persicone, Planning Services Manager along with Community Development Director Biggs and City Attorneys Houston and Ramakrishnan provided a report and answered questions from the Council.

The following individuals commented: Freddie Wheeler, Teresa Morris, Salim Damerджи, Frank Martin, and Anne Paulson

Council discussion ensued. Council provided feedback and input. Staff responded to questions from the Council. No action was taken.

7. Ordinance No. 2021-477 Restriction On The City-Owned Property Commonly Known As The Los Altos Community Center Site: Introduce and hold first reading, as read by title only and waive further readings of An Ordinance of the City Council of the City of Los Altos adding a new Chapter, 11.13 , Entitled “Restriction on the City-Owned Property commonly known as 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 Hillview Los Altos Center Site without voter approval

Community Development Director Biggs provided a report and answered questions from the Council.

Frank Martin and Roberta Phillips provided public comment.

Council discussion commenced.

Following discussion, Vice Mayor Enander moved that the City Council introduce and hold first reading, as, read by title only, and waive further readings of An Ordinance of the City Council of the City of Los Altos adding a new Chapter, 11.13 , Entitled “Restriction on the City-Owned Property commonly known as 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 Hillview Los Altos Center Site without voter approval with the following modifications: deletion of the subdivision references throughout the document; inclusion of the Nuetra House and the adjacent green spaces and play area, as well as the Los Altos Youth Center, as restricted City Owned Property. The motion was seconded by Council Member Lee Eng and the motion passed 3-2 with the following roll call vote:

AYES: Council Member Lee Eng, Vice Mayor Enander, and Mayor Fligor.

NOES: Council Members Meadows and Weinberg

ABSENT: None

ABSTAIN: None

Mayor Fligor called for a brief recess at 9:12 p.m. The meeting was reconvened at 9:20 p.m.

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8. Los Altos Theater Working Group Presentation: Provide update on work and actions the group has taken since the Council voted to support the formation of the Theater Working Group and present any formal requests that involve the use of City-owned land and/or resources.

Vicki Reeder, representing a working group of residents interested in a new Los Altos Theater, provided a presentation, and answered questions from the Council relative to their proposal.

City Attorney Houston answered questions from the Council.

All Council Members disclosed meeting individually with various members of the citizens' group.

The following individuals provided public comment: Pat Marriot, Ying Lui, Claudia Coleman, Petrita Lipkin, Jon Baer, Teresa Morris, Curtis Cole, Scott Hunter, Joe Beninato, Bill Sheppard, Freddie Wheeler (with time ceded from Terri Couture and Roberta Phillips), Scott Spielman (with time ceded from Al Rooney and Nancy) and Frank Martin with time ceded from Xiameng and Mike Menning).

Council discussion commenced. Following discussion, Mayor Fligor moved that the Council direct staff to work with the Los Altos Stage Company to bring forth for Council consideration a Memorandum of Understanding expressing the City's commitment to reserve, for up to 5 years, the use of the City's parking plaza(s) parcels (appropriately identified in the MOU) to allow time for fundraising the non-profit (Los Altos Stage Company) to conduct the necessary feasibility studies relative to the construction of a new Los Altos Theater.

The motion was seconded by Council Member Weinberg and the motion 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

9. Reconsideration of Council Action D20-0008 - Packard Foundation - 374 Second Street Consider Council Members' request for Motion for Reconsideration of Council action on October 26, 2021, to adopt Resolution No. 2021-53 approving Design Review Application D20-0008 - Packard Foundation - 374 Second Street subject to the recommended findings and conditions; Motion for Reconsideration to immediately follow if request is approved. If a motion for reconsideration is made and approved, the rehearing shall be scheduled for consideration at the November 30, 2021, City Council meeting. (Council Member Weinberg)

City Attorney Houston provided information on the matter and answered questions from the Council.

Council Member Weinberg moved the Council approve his request to place on the agenda the matter of reconsideration of Council action taken on October 26, 2021, approving the Packard Foundation Application D20-0008 by adopting Resolution No 2021-53. The motion was seconded by Vice Mayor Enander and the motion passed 3-2 with the following roll call vote:

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

Council Member Weinberg moved that the Council reconsider at the November 30, 2021, City Council meeting the Packard Foundation Application D20-0008 based on facts and circumstances relative to the proposed removal of protected trees and the required findings. The motion was seconded by Vice Mayor Enander.

Mayor Fligor called for public comment.

Teresa Morris and Roberta Phillips provided comments.

The motion, as stated above, passed (3-2) with the following roll call vote:

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

10. Lehigh Stevens Creek Quarry Subcommittee Update: Receive and discuss update from City Council Lehigh Subcommittee. (Council Members Lee Eng and Meadows)

Council Members Lee Eng and Meadows provided an update and answered questions from the Council.

There were no members of the public wishing to comment.

Following discussion, Vice Mayor Enander moved that the Council expand the subcommittee's focus to include Stevens Creek Quarry and to involve the assistance of the Environmental Commission as the subcommittee deems appropriate. 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

INFORMATIONAL ITEMS ONLY

- Tentative Council Calendar

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Mayor Fligor noted the upcoming City of Los Altos Veteran's Day recognition and thanked all Veterans for their service. In addition, with support from Council Member Lee Eng and Weinberg, Mayor Fligor requested the placement of a Suicide Prevention policy on the November 30th agenda.

Council Member Lee Eng inquired about development of a policy on the use of public or City owned land. It was agreed that this matter would be a topic at the 2022 Council retreat.

Vice Mayor Enander asked the Council Members to inform staff of their availability on either January 8th or 15th, 2022 for the Council retreat.

ADJOURNMENT

At 11:54 p.m., Mayor Fligor adjourned the meeting.

Neysa Fligor, MAYOR

ATTEST:

Andrea M. Chelemengos MMC, CITY CLERK