



SPECIAL CITY COUNCIL MEETING

TUESDAY, DECEMBER 7, 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/1452117341>

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: 145 211 7341). 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. Once called to speak, speakers will be asked to state their name and place of residence. Providing this information is optional.

***TO SUBMIT WRITTEN COMMENTS**, prior to the meeting, on matters listed on the agenda email 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.](#)

ESTABLISH QUORUM

PLEDGE OF ALLEGIANCE

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. **Emergency Declaration Resolution:** Adopt Resolution No. 2021-59 Extending the declaration of a local emergency due to the COVID-19 Pandemic (J. Maginot)

SPECIAL ITEM

2. **Council Reorganization**

- A. Remarks from Mayor Fligor
- B. Election of Mayor
- C. Election of Vice Mayor
- D. Administration of Oath of Office to new Mayor and Vice Mayor
- E. Presentation of Medal to incoming Mayor
- F. Remarks from new Vice Mayor
- G. Remarks from new Mayor

ADJOURNMENT

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) 947-2720.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <http://www.losaltosca.gov/citycouncil/meetings>. Council Meetings are televised live and rebroadcast on Cable Channel 26. On occasion the City Council may consider agenda items out of order. 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.

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. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the City Clerk at (650) 947-2720 for the final document.

If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.



CONSENT CALENDAR

Agenda Item # 1

AGENDA REPORT SUMMARY

Meeting Date: December 7, 2021

Subject: Emergency Declaration Resolution

Prepared by: Jon Maginot, Deputy City Manager

Approved by: Gabriel Engeland, City Manager

Attachment(s):

1. Resolution No. 2021-59

Initiated by:

Staff

Previous Council Consideration:

March 12, 2020 (Declaration of Emergency); March 17, 2020; August 24, 2021; October 12, 2021; November 9, 2021

Fiscal Impact:

None. However, a local emergency declaration is a prerequisite for requesting state or federal assistance.

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Does the Council wish to renew its existing declaration by adopting a resolution declaring a local emergency to emphasize the need for continued adherence to public health guidance?

Summary:

- AB 361 requires the City to adopt a resolution every 30 days extending a local emergency declaration to continue to allow legislative bodies to meet virtually

Staff Recommendation:

Adopt Resolution No. 2021-59 extending the declaration of a local emergency due to the COVID-19 pandemic

Reviewed By:

City Manager

GE

City Attorney

JH

Finance Director

JE



Subject: Emergency Declaration Resolution

Purpose

To adopt a resolution extending the existing declaration of emergency

Background

On March 12, 2020, the City Manager issued an Emergency Declaration in response to the COVID-19 pandemic. On March 17, 2020, the City Council adopted Resolution No. 2020-08 ratifying the Emergency Proclamation. On August 24, 2021, October 12, 2021 and November 9, 2021, the City Council adopted resolutions continuing the declaration of the existence of a local emergency due to the COVID-19 pandemic.

The threat posed by COVID-19 continues to pose a serious risk to the public health and safety of the City of Los Altos.

Discussion/Analysis

Resolution No. 2021-46 states that the Director of Emergency Services (City Manager) is to report to the City Council within sixty (60) days on the need for further continuing the local emergency.

AB 361, signed into law on September 15, 2021, allows a public agency to continue to hold virtual City Council and Commission meetings while under a declaration of emergency without complying with certain elements of the Ralph M. Brown Act. The bill requires that a legislative body renew the declaration of emergency every 30 days in order to continue meeting in this matter. AB 361 applies to local agencies until January 1, 2024.

Recommendation

The staff recommends Council adopt the attached resolution extending the declaration of emergency due to the COVID-19 pandemic.

RESOLUTION NO. 2021-59

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
DECLARING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO
THE COVID-19 PANDEMIC**

WHEREAS, on March 4, 2020, the Governor issued a proclamation of a state of emergency relating to the respiratory illness known as COVID-19, which is caused by the novel corona virus SARS-CoV-2; and

WHEREAS, on March 11, 2020, the World Health Organization declared the existence of a pandemic due to the global spread of COVID-19; and

WHEREAS, on March 12, 2020, the Los Altos City Manager, in his capacity as the City's Director of Emergency Services, proclaimed a local emergency in response to the escalation of COVID-19 to a pandemic, and on March 17, 2020, the City Council adopted Resolution 2020-08 ratifying and continuing the proclamation of local emergency; and

WHEREAS, on March 16, 2020, the Santa Clara County Health Officer issued the first of successive orders requiring all individuals residing in the County to shelter in their places of residence as specified, to socially distance, and to take other measures to prevent community spread of COVID-19; and

WHEREAS, on March 19, 2020, the Governor issued a statewide shelter-in-place order; and on August 28, 2020, the Governor announced a "Blueprint for a Safer Economy," which provided protocols for slowly reopening the state's economy following the initial shelter-in-place mandate; and

WHEREAS, on August 24, 2021, October 12, 2021 and November 9, 2021, the City Council adopted Resolution No. 2021-46, Resolution No. 2021-51 and Resolution No. 2021-55 respectively extending the declaration of a local emergency; and

WHEREAS, by the beginning of December 2021, approximately 1,900 Santa Clara County residents had died of COVID-19; and

WHEREAS, due to the diligence of Los Altos residents in complying with health guidance Los Altos has one of the lowest rates of reported incidence of COVID-19 infection in Santa Clara County; and

WHEREAS, vaccines provide proven protection against COVID-19; and

WHEREAS, by the beginning of December 2021, approximately 77% of Santa Clara County residents had been vaccinated, and statewide vaccination rates were higher than the national average; and

WHEREAS, the Governor lifted the Blueprint for a Safer Economy on June 15, 2021, and local health restrictions have also been lifted due to sharp declines in COVID-19 case counts since vaccines first became available; and

WHEREAS, despite progress in addressing the pandemic, not all eligible individuals are fully vaccinated, and new, more virulent variants of the SARS-CoV-2 virus are spreading in California and throughout the world; and

WHEREAS, according to the California Department of Public Health, by July 21, 2021, nearly 85 percent of new COVID-19 cases in California were caused by the highly contagious “delta” variant; and

WHEREAS, although breakthrough infections are rare for fully vaccinated individuals, available COVID-19 vaccines have proven less effective against the delta variant than against prior strains of the SARS-CoV-2 virus; and

WHEREAS, due to the spread of the delta variant and because not all eligible persons are vaccinated yet, the incidence of COVID-19 infection is again on the rise in Santa Clara County; and

WHEREAS, according to the Santa Clara County Health Department, by July 1, 2021, the 7-day average of new COVID-19 cases reported in Santa Clara County was down to 37 cases per day, but three weeks later on July 22, 2021, the 7-day average was up to 188 cases per day; and

WHEREAS, as a result of rising case counts, on August 2, 2021, the Santa Clara County Health Officer issued a new health order requiring the use of face coverings indoors by all persons; and

WHEREAS, despite significant progress, COVID-19 remains a threat to public health and safety in the Los Altos community; and

WHEREAS, throughout the pandemic, the City of Los Altos has taken steps to address the health crisis, for example, by facilitating outdoor dining within the City; and

WHEREAS, AB 361 requires the City Council make findings every thirty (30) days reaffirming the existence of a local emergency; and

WHEREAS, in view of the ongoing health crisis, the City Council now desires to affirm its existing declaration of local emergency.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Los Altos that:

1. The City Council has reviewed the need for continuing the declaration of local emergency and finds, based on substantial evidence, that the foregoing recitals are

true and correct and that the public interest and necessity require the continuance of the proclamation of local emergency related to COVID-19.

2. Said local emergency shall be deemed to continue to exist until terminated by the City Council of the City of Los Altos.
3. The Director of Emergency Services is hereby directed to report to the City Council within thirty (30) days on the need for further continuing the local emergency and, if deemed appropriate, the City Council may take further action.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 7th day of December, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Neysa Fligor, MAYOR

Attest:

Andrea Chelemengos, MMC, CITY CLERK



SPECIAL ITEM

Agenda Item # 2

AGENDA REPORT SUMMARY

Meeting Date: December 7, 2021

Subject: Council Reorganization

Prepared by: Andrea Chelemengos, City Clerk

Reviewed by: Jon Maginot, Deputy City Manager

Approved by: Gabriel Engeland, City Manager

Attachment(s):

None

Initiated by:

City Council

Fiscal Impact:

None

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- Which individuals do Council wish to serve as Mayor and Vice Mayor for 2021/22?

Summary:

- Councilmembers serve as Mayor or Vice Mayor for one year
- The Council Norms and Procedures outline the process for selecting Mayor and Vice Mayor

Staff Recommendation:

Submit nominations for Mayor and Vice Mayor for 2021/22



Subject: Council reorganization

Purpose

To select a Mayor and Vice Mayor for 2021/22.

Background

Section 2.2 of the Council Norms and Procedures details the process for the Election of Mayor (for complete text of the section, see the [Council Norms and Procedures](#)):

“Election of Mayor. Only Council members elected by the voters may serve as Mayor...the term of office shall be one year. The Council member must have served at least 23 months to be eligible for Mayor. A majority vote of the Council is necessary to designate the Mayor. If there is at least one elected Council member with a minimum of 23 months of service who has not served as Mayor, he or she shall be designated Mayor before those who have already served as Mayor.”

Section 2.3 outlines the process for the Election of Vice Mayor (for complete text of the section, see the [Council Norms and Procedures](#)):

“Election of Vice Mayor. Only Council members elected by the voters may serve as Vice Mayor...the selection process for determining who shall serve as Vice Mayor will follow that of Mayor, except the Councilmember must have served at least 11 months to be eligible to serve as Vice Mayor.”

Discussion/Analysis

The following is a list of Council members in order of seniority and service record:

- Council Member Lee Eng (re-elected in 2020 with the second highest number of votes originally elected in 2016 with the third highest number of votes, previously served as Vice Mayor in 2017/18 and Mayor 2018/19)
- Council Member Fligor elected in 2018 with the highest number of votes, served as Vice Mayor 2019/20 and Mayor 2020/21)
- Council Member Enander (elected in 2018 with the second highest number of votes, served as Vice Mayor in 2020/2021)
- Council Member Sally Meadows elected in 2020 with the highest number of votes
- Council Member Jonathan Weinberg elected in 2020 with the third highest number of votes

Any Councilmember may offer a nomination for the position of Mayor, with no second required. If at least three affirmative votes are cast, the nominated member becomes the Mayor.



Subject: Council reorganization

Following the selection of Mayor, any Councilmember may offer a nomination for Vice Mayor. A second is not required. If at least three affirmative votes are cast, the nominated member becomes the Vice Mayor.

Seating of Councilmembers

Section 2.1 of the Council Norms and Procedures outlines the process for seating of Councilmembers:

“Seating preferences on the dais shall be made by the Mayor, Vice Mayor and then by seniority of the rest of the members, in that order. If two members have equal seniority based on year elected, then the member with the higher vote count in their most recent election is considered to have higher seniority.”

Recommendation

The staff recommends Submit nominations for Mayor and Vice Mayor for 2021/22

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