



CITY COUNCIL MEETING
MINUTES
7:00 PM - Tuesday, June 28, 2022
via Videoconference

CALL MEETING TO ORDER

At 7:01 p.m. Mayor Enander called the meeting to order.

ESTABLISH QUORUM

PRESENT: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows and Mayor Enander

ABSENT: None

PLEDGE ALLEGIANCE TO THE FLAG

Mayor Enander led the pledge of allegiance.

REPORT ON CLOSED SESSION

Public Employment: City Manager Performance Evaluation:

Pursuant to Government Code section 54957(b)

Conference with Labor Negotiators:

Pursuant to Government Code Section 54957.6(a) Employee organization: Sanitary Truck Drivers and Helpers – Teamsters Union Local 350, designated representatives: Irene Barragan Silipin, Human Resources Manager, Jon Maginot, Assistant City Manager, Gabriel Engeland, City Manager

Mayor Enander stated that a Closed Session had been held earlier in the evening and reported that there was no action taken and nothing to report.

SPECIAL ITEMS

A. Proclamation of the Mayor recognizing July is Parks Make Life Better Month

Mayor Enander presented the Proclamation recognizing July is Parks Make Life Better Month and introduced Richard Foley, a Los Altos resident, who took the first step that led for the City purchase and the creation of Marymeade Park.

B. Retiring Police Chief Andy Galea Proclamation

Mayor Enander presented the proclamation of retiring Police Chief Andy Galea.

CHANGES TO THE ORDER OF THE AGENDA

No changes were requested.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following members of the public spoke: Tanya Maluf, Roberta Phillips, Christine Lenz, Jill Woodford, Toni Moos, Cindy Sidaris, and Joe Beninato.

CONSENT CALENDAR

1. **Minutes:** Approve Minutes of the City Council Regular Meeting of June 14, 2022. (A Rodriguez)
2. **Adopt CalRecycle Local Assistance Grant:** Approve Resolution 2022- __ authorizing the City Manager to accept the grant funding from the State of California in the amount of up to \$44,027 to be used for SB 1383 outreach and education in the next two fiscal years (A. Fairman)
3. **Project Acceptance: Annual Street Resurfacing and City Alley Resurfacing Project:** Adopt Resolution No. 2022-XX FY20/21 re Annual Street Resurfacing and City Alley Resurfacing Project (TS-01001, TS-01003, TS-01004, and TS-01009); consider finding that the project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (G. Watanabe)
4. **Project Acceptance: Fremont Avenue Pavement Rehabilitation:** Adopt Resolution No. 2022- ____: Accept the Fremont Avenue Pavement Rehabilitation Project TS-01056, Federal Project STPL-5309(019); consider finding the project exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (G. Watanabe)
5. **Approve Professional Services Agreement Amendment No. 3 with NBS:** Authorize the City Manager to execute Amendment No. 3 on behalf of the City with NBS in the amount of \$22,000 to provide administration of the sewer service charge for FY2021-22 (T. Nguyen)
6. **Approve Financial System Purchase:** Authorize the purchase of a Cloud-Based Enterprise Resource Planner (ERP) from Tyler Technologies, Inc., a Delaware corporation, pursuant to the Cooperative Purchasing Contract, for an initial amount of \$347,002, and \$99,436 annually thereafter for an initial term of five years and a total of \$844,182, inclusive of annual maintenance over the five-year term (J. Furtado)
7. **Award of Contract for Custodial Cleaning Services:** Authorize the City Manager to execute an agreement with IMPEC Group for custodial cleaning services in the amount of \$394,380 for fiscal year 22/23 on behalf of the City (M. Hernandez)
8. **FY 21/22 Final Budget and FY 22/23 Mid Term Budget:** Adopt Resolution 2022-__ FY 22-26 Capital Projects; Adopt Resolution 2022-__ FY 23 Midterm Operating Budget; Adopt Resolution 2022-__ FY 23 Utility User Tax Rate; Adopt Resolution 2022-__ FY 23 Transient Occupancy Tax Rate; Adopt Resolution 2022-__ FY 22 Park in Lieu Fund Appropriation; Adopt Resolution 2022-__ FY 2021/22 Final Operating Budget Resolution (J. Furtado)
9. **Wireless Telecommunications Facilities Ordinance:** Adopt an Ordinance Of The Los Altos City Council Amending Los Altos Municipal Code Chapter 11.12 And Adding Chapter 14.82 Relating To Wireless Telecommunications Facilities And Utility Infrastructure Setting New Locational Requirements And Revising Development Standards.

- 10. Youth Commission Appointments:** Accept the Youth Commission Interview Subcommittee appointment recommendations and make recommended appointments to the Los Altos Youth Commission (A. Rodriguez)

Mayor Enander announced that Consent Item 9 will be heard at an adjourned regular Council meeting on June 30, 2022. The agenda notice for the Wireless Ordinance was posted within 72 hours, but the Final Ordinance and staff report was not posted until yesterday afternoon. For transparency purposes and to make sure the public has time to review and comment on the Final Wireless Ordinance, the Council will make a motion to adjourn to a regular City Council meeting to be held on June 30, 2022, at 7 pm.

Council Member Lee Eng requested Resolution 2022-__ FY 22 Park in Lieu Fund Appropriation be pulled to be voted on by itself, located within Item 8.

Following a motion by Council Member Lee Eng, seconded by Vice Mayor Meadows, Items 1-7, 8 with the exception of Resolution 2022-__ FY 22 Park in Lieu Fund Appropriation, and 10 was approved with the following roll call vote:

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

Following a motion by Council Member Weinberg, seconded by Council Member Fligor, Resolution 2022-__ FY 22 Park in Lieu Fund Appropriation was approved as amended with the following roll call vote:

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

PUBLIC HEARINGS

- 11. 355 1st St LLC:** Consider approval of Proposed Four-Story Multiple-Family Residential Project at 355,365,371,373 First Street; adopt mitigated negative declaration for project (S. Gallegos)

Council Member Weinberg disclosed that he had met with the applicant. Further, his client hired BKF Engineers, which worked on 355 1st St, as an expert witness in a legal case but he has not been in a financial relationship with the company.

Council Members Fligor, Lee Eng, and Vice Mayor Meadows also disclosed that they have met with the applicant.

Sean Gallegos, Senior Planner, presented this item to Council.

Vice Mayor Meadows and Mayor Enander asked clarifying questions. City Attorney Houston and Planning Director Nick Zornes responded. Council asked further clarifying questions to the applicant.

Albert Wang, applicant of 355 First Street, and Jeff Potts addressed the Council and answered questions. Council Member Weinberg asked further questions from City Attorney Houston.

At 9:09 pm, Mayor Enander called a for a recess and returned the meeting back to order at 9:20 pm.

The following members of the Public commented: Jeanine Valadez, Roberta Phillips, Jon Bear, and Joe Beninato.

Council Members Weinberg, Fligor, Vice Mayor Meadows, and Mayor Enander provided additional comments.

Following a motion by Council Member Weinberg, seconded by Vice Mayor Meadows, to adopt Resolution No. 2022-____ which adopts the Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve Design Review application D21-0003 and Subdivision application TM21-0001 for a new 50-unit multiple-family development at 355 First Street with modifications to following Conditions: Condition 20 is modified to acknowledge that the applicant agreed that the BMR unit on the first floor proposed for Unit 2G be moved to Unit 2B; Condition 48 is modified such that all planters along 1st Street shall be moved back at least 18 inches from the public right away unless it is physically precluded by the podium below.

Council Member Lee Eng commented further on the motion. The motion was approved with the following roll call vote:

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

DISCUSSION ITEMS

12. This item has been removed from the Agenda

Open Government Policy: Review and provide direction accordingly

13. 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 2053, AB 2097, AB 2221, AB 2625, AB 2164, AB 1944, AB 2011, AB 2181, SB 897, SB 922, SB 930, SB 932, & SB 1067

Mayor Enander presented draft letters to Council.

Council Member Fligor provided comment on AB1944 and Council Member Lee Eng asked clarifying questions.

There was no public comment.

Following a motion by Council Member Fligor, seconded by Mayor Enander, AB1944 was approved 5-0 with the following roll call vote:

AYES: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander

NOES: None
ABSENT: None
ABSTAIN: None

Following a motion by Council Member Lee Eng, seconded by Mayor Enander, AB2011 was approved 5-0 with the following roll call vote:

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

Following a motion by Council Member Lee Eng, seconded by Council Member Fligor, AB2097 was approved 3-2 with the following roll call vote:

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

Following a motion by Council Member Lee Eng, seconded by Mayor Enander, SB 897 was approved 5-0 with the following roll call vote:

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

Following a motion by Council Member Fligor, seconded by Mayor Enander, SB 922 was approved 4-0-1 with the following roll call vote:

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

Following a motion by Council Member Fligor, seconded by Council Member Weinberg, SB 932 as amended was approved 4-1 with the following roll call vote:

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

INFORMATIONAL ITEMS ONLY

14. Tentative Council Calendar

City Manager England noted that the Reach Code Study Session is scheduled for July 12, and not August 23, as noted on the Tentative Calendar and that AB481 will be coming back to Council in August. The Open Government item will be coming back to Council once the subcommittee is able to conclude their work.

COUNCIL/STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Council Member Fligor asked for City Manager England to provide an update on drought mitigation which he provided.

Council Member Lee Eng further commented on water conservation and requested a presentation from Water District on the topic.

Mayor Enander reported the success of the Pubic Arts Commission Rock Painting event and announced the Dog Park ribbon cutting scheduled later this week as well.

ADJOURNMENT

Mayor Enander moved to adjourned tonight's regular meeting, seconded by Council Member Lee Eng, to Thursday, June 30, at 7 pm to take up Item 9 on the consent calendar and repost the agenda with the notice of adjournment. Motion passed 5-0 with the following roll call vote:

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

Meeting adjourned at 11:22 pm to Thursday, June 30, at 7 pm.

The Regular Meeting of the Los Altos City Council, scheduled for Tuesday June 28, 2022, at 7:00 P.M., was adjourned by the Los Altos City Council To Thursday June 30, 2022, At 7:00 P.M.

7:00 PM – Thursday, June 30, 2022

CALL MEETING TO ORDER

At 7:00 p.m. Mayor Enander called the meeting to order.

ESTABLISH QUORUM

PRESENT: Council Members Fligor, Lee Eng, Weinberg, Vice Mayor Meadows and Mayor Enander

ABSENT: None

CONSENT CALENDAR

- 9. Wireless Telecommunications Facilities Ordinance:** Adopt an Ordinance Of The Los Altos City Council Amending Los Altos Municipal Code Chapter 11.12 And Adding Chapter 14.82

Relating To Wireless Telecommunications Facilities And Utility Infrastructure Setting New Locational Requirements And Revising Development Standards.

There was no public comment provided.

Council Member Weinberg moved, seconded by Mayor Enander, to approve Consent Item 9 as presented was approved 3-2 with the following roll call vote:

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

ADJOURNMENT

Meeting adjourned at 7:15 p.m.

Anita Enander MAYOR

ATTEST:

Angel Rodriguez, INTERIM CITY CLERK