



**CITY COUNCIL MEETING**  
**MINUTES**  
**7:00 PM - Tuesday, September 06, 2022**  
*via Videoconference*

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**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

**PLEDGE ALLEGIANCE TO THE FLAG**

Ivy Berger-Morris and Siri Satish with Troop 60762 led the pledge of allegiance.

Mayor Enander announced that City Manager England was delayed, and Assistant City Manager Jon Maginot will be Acting City Manager while he arrives.

**REPORT ON CLOSED SESSION**

No closed session, nothing to report.

**CHANGES TO THE ORDER OF THE AGENDA**

No changes were requested.

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

There were none.

**CONSENT CALENDAR**

1. Accept Annual Development Impact Fees Report (J. Du)
2. **Minutes:** Approve Minutes of the City Council Regular Meeting of July 12, 2022. (A. Rodriguez)

Following a motion by Council Member Weinberg, seconded by Council Members Fligor, Items 1 and 2 were 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

## PUBLIC HEARING

- 3. 4350 El Camino Real Multiple Family Development Project; 19-D-01, 19-UP-01 and 19-SD-01** - Multiple-Family Design Review, Conditional Use Permit and Tentative Subdivision map for a new multiple-family development with a five-story building with 47 condominium units along El Camino Real with two levels of underground parking. The proposal includes seven affordable units with four moderate-income units and three very-low-income units, and a density bonus with development incentives to allow for increased building height and a reduced parking aisle width. A Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program in compliance with the California Environmental Quality Act (CEQA) will be considered. (R. Hayagreev)

City Manager Engeland joined the meeting and Radha Hayagreev, Senior Contract Planner, gave a Staff presentation to Council.

Angie Galatolo, developer of 4350 El Camino Real along with David Kornfield, developer's consultant and Alex Seidel, developer's architect provided a presentation to Council.

Council Member Fligor, Vice Mayor Meadows and Mayor Enander asked questions to the Applicant and Staff.

Council Member Weinberg disclosed that his client hired BKF Engineers, which worked on 4350 El Camino Real, as an expert witness in a legal case but he has not been in a financial relationship with the company. Mayor Enander and Council Member Lee Eng disclosed that they had conversation with the applicant regarding story poles but no conversations regarding this development. Vice Mayor Meadows disclosed that she saw this first at a Planning Commission 4 years ago. Council Member Fligor disclosed that she has had no conversations with the applicant.

The following members of the Public spoke: Frank Martin, Greg Stewart, Anne Paulson, Abby Ahrens, Roberta Philips, Donald Gardner, Wendy, David Feld, Jeremy McCabe, Allison, Sergey Finkelstein, Renee Rashid, and Nancy Martin.

Angie Galatolo, owner of 4350 El Camino Real, responded to some public comments.

Council Member Fligor, Vice Mayor Meadows, Council Member Weinberg, Council Member Lee Eng, and Mayor Enander asked further questions to the applicant and provided additional comments.

Following a motion by Mayor Enander, seconded by Council Member Lee Eng, the Council adopted a mitigated negative declaration and approving the design review, conditional use permit and subdivision applications for a forty-seven unit multiple family development project at 4350 El Camino Real subject to the following changes:

- Condition 37: to be amended as specified by City attorney to account for the uncertainty with respect to the current, as-built size of the sewer
- Condition 38: to be amended by Staff to accommodate instruction for mitigating construction parking to minimize impact on Los Altos Ave and adjacent streets
- Condition 31; to be amended to have the Below Market Rate Deed Restriction increased from 55 to 99 years

- Applicant will work with staff to alter the landscape plan for the required common open space to ensure it meets code
- Roof deck amenity will be removed, reducing the elevator height
- Condition 17; to be amended to include language ‘as verified by the Development Services Director

Motion 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

At 9:40 pm, Mayor Enander called for a recess and returned the meeting back to order at 9:50 pm.

The Council announced the continuance of Item 5 to the Sept 20<sup>th</sup> meeting.

#### DISCUSSION ITEMS

- 4. Environmental Commission Reach Codes Recommendation:** Receive a presentation with recommended municipal code amendments regarding Reach Codes.

Environmental Commission Subcommittee composed of Tom Hecht, Don Weiden and Laura Teksler, presented to Council.

Council Member Fligor, Council Member Weinberg, Vice Mayor Meadows, Council Member Lee Eng and Mayor Enander asked clarifying questions. City Manager Engeland and City Attorney Houston provide clarifications.

The following members of the public spoke: Frank Martin, Jared Johnson, Pete Dailey, Freddie Wheeler, Renee Rashid, Gary Hedden, Christian Hansen, Mia Ravishankar, Roberta Philips, Diane Bailey, Michelle Hudson, Joe Beninato, Christian Hansen, Mia Ravishankar and Nancy.

Mayor Enander asked clarifying questions to the Environmental Subcommittee.

Mayor Enander moved to direct the Environmental Subcommittee to stop work on Reach Codes and allow the California State codes to take over in January 2023 which was seconded by Council Member Lee Eng.

Council Member Fligor, Vice Mayor Meadows, and Council Member Weinberg provided further comments.

Motion failed 2-3 with the following roll call vote:

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

Council Member Weinberg moved to adopt the first three recommendations, seconded by Council Member Fligor, as presented in the Staff report. Vice Mayor Meadows requested a friendly amendment to include the fourth recommendation in the staff report, which was accepted.

Motion passed 3-2 by the following roll call vote:

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

5. **Commission Appointments:** Consider Commission applications and make appointments as appropriate (A. Rodriguez)

Continued to September 20, 2022, Regula Meeting per Council direction.

### INFORMATIONAL ITEMS ONLY

6. Tentative Council Calendar
7. Receive report from Legislative Subcommittee

Vice Mayor Meadows questioned the Council's position as noted on AB2181 as noted on the report. The Subcommittee will review and update the report if needed.

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

Council Member Weinberg asked for clarification as to their voting responsibilities to the CA League Cities to which Council Member Fligor responded.

City Attorney Houston asked Council for their support to work on a model ordinance for the Concealed Weapon Permit with neighboring jurisdiction. Council asked for it come back as an agenda item.

### ADJOURNMENT

Mayor Enander adjourned the meeting at 12:28 pm

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Anita Enander MAYOR

ATTEST:

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Angel Rodriguez, INTERIM CITY CLERK