

**MINUTES OF THE MEETING OF THE CITY COUNCIL OF THE CITY OF
LOS ALTOS, HELD ON TUESDAY, SEPTEMBER 24, 2013, BEGINNING AT
7:00 P.M. AT LOS ALTOS CITY HALL, 1 NORTH SAN ANTONIO ROAD,
LOS ALTOS, CALIFORNIA**

ESTABLISH QUORUM

PRESENT: Mayor Fishpaw, Mayor Pro Tem Satterlee, Councilmembers Bruins, Carpenter and Pepper

ABSENT: None

PLEDGE OF ALLEGIANCE

Junior Girl Scout Troop 60477 led the Pledge of Allegiance to the flag.

CLOSED SESSION ANNOUNCEMENT

1. Public Employment: City Manager Performance Review and Labor Negotiations
Pursuant to Government Code Sections 54957(b) and 54957.6
2. Conference with Legal Counsel – Anticipated Litigation
Pursuant to Government Code Section 54956.9(d)(2) – Two Cases

Mayor Fishpaw reported that the Council unanimously approved a release with Mission Trail Waste Systems and that no other action was taken during the Closed Session.

CHANGES TO THE ORDER OF THE AGENDA

There were no changes to the order of the agenda.

PUBLIC COMMENTS

Michelle Lindeman and Kathleen King, representing the Silicon Valley Leadership Group, invited Council members to participate in the Silicon Valley Turkey Trot and Mayor's Cup on November 28, 2013.

Los Altos residents Chris Hansen and Ross Lappin requested Council schedule a future agenda item to discuss the proposed Stevens Creek Trail.

CONSENT CALENDAR

Mayor Pro Tem Satterlee pulled item number 2.

Action: Upon a motion by Councilmember Carpenter, seconded by Councilmember Bruins, the Council unanimously approved the Consent Calendar, with the exception of item number 2, as follows:

1. Council Minutes

Approved the minutes of the September 10, 2013 regular meeting.

2. Proposed creek signs

Pulled for discussion (see page 4).

3. Freeway directional signs for downtown

Approved Resolution No. 2013-30, requesting installation of downtown Los Altos directional signs for the northbound and southbound approaches to the El Monte exit on Interstate 280.

4. Wayfinding sign construction design

Approved a contract with Explore Creative for an amount not to exceed \$25,000 to complete the construction design for the commercial wayfinding sign project.

DISCUSSION ITEMS

5. Morningside Planned Unit Development Plan Amendment for Lot 12

Planning Services Manager Kornfield presented the report. Abby Ahrens, representing the applicant, presented the application.

Public Comments:

Los Altos resident Walter Muir supported development of the property according to previously approved conditions.

Los Altos residents Howard Neff and Braden Beck supported the application.

Los Altos resident Dawn Hill requested that the access easement be converted to a fire lane.

Los Altos resident LaDon Detro requested clarification on what constitutes a two-story home.

Los Altos resident Jim Collinson opposed a two-story home on the property.

Los Altos resident Gregg Ann Horan opposed restricting the property to a one-story home.

Abby Ahrens and Mark Costello, applicant, responded to public comments.

Mayor Pro Tem Satterlee disclosed ex parte communications with members of the Morningside Home Owners Association and the property manager for 604 Milverton Road. Councilmember Pepper disclosed ex parte communications with Dawn Hill, Walter Muir, Howard Kneff, and the renter currently occupying the structure at 604 Milverton Road.

Mayor Fishpaw opposed limiting any new development to one-story at this point.

Action: Motion made by Mayor Pro Tem Satterlee, seconded by Councilmember Carpenter, to approve PUD/R1 Cluster use permit application 13-UP-01 subject to recommended findings and conditions, with the following changes: A) modify Condition No. 1 to read that any new dwelling shall be reviewed by the Design Review Commission, even if it is single-story; B) modify Condition No. 2 to add “If retained, conversion must be complete prior to final occupancy and accessory units shall not be rented;” C) modify Condition No. 3 to add “and adjacent properties” following the word development; D) change “should” and “must” to “shall” in Conditions No. 5 through 10; E) modify Condition No. 7 to read “Any development that converts the existing structure shall remove the septic system and convert the unit to sanitary sewer as required by the City Engineer. Any other modifications shall be in a manner consistent with the Santa Clara Valley Water District; F) modify Condition No. 10 to read that “at the time of a new home proposal to the Design Review Commission, the property owner shall provide an evaluation of any eucalyptus and non-native trees creating a fire hazard within the conservation easement only near the historic structure;” and G) add a new Condition stating the applicant shall indemnify and hold harmless the City using the City’s standard language. Councilmember Carpenter offered an amendment, which was accepted, to modify Condition No. 2 to add that accessory units shall not be used or rented as an independent living unit.

The motion, as amended, passed 4-1, with Mayor Fishpaw dissenting.

Mayor Fishpaw called for a recess at 9:20 p.m. The meeting resumed at 9:27 p.m.

6. Los Altos Climate Action Plan

Senior Planner Dahl and Jeff Henderson of PMC presented the report.

Public Comments:

Margaret Suozzo, representing GreenTown Los Altos, and Los Altos resident Gary Hedden supported the Climate Action Plan.

Paula Wallis commented on reduced Greenhouse Gas emissions from Lehigh Quarry.

Council members provided feedback on the draft Climate Action Plan.

Action: Upon a motion by Councilmember Pepper, seconded by Councilmember Carpenter, the Council unanimously directed staff to initiate environmental review and prepare the final Climate Action Plan for adoption and appropriated an additional \$11,865 to Capital Improvement Project CD-01004 for additional work to be performed.

7. Bay Area Clean Environment amicus brief

Public Comments:

Paula Wallis, representing Bay Area Clean Environment (BACE), availed herself to answer Council questions.

Los Altos Hills Mayor Gary Waldeck encouraged the Council to contribute an amount equal to other cities.

Tim Brand, representing BACE, thanked the Council for their support.

Stuart Flashman, representing BACE, encouraged the Council to not limit the City's contribution to be equal to other cities as there may be more distant cities that wish to join but may not contribute a similar amount of money.

Action: Upon a motion by Councilmember Pepper, seconded by Councilmember Carpenter, the Council voted unanimously to continue to join a viable amicus brief, at the discretion of the City Attorney, with Mid-Peninsula Regional Open Space District for an amount not to exceed \$7,500 and to be equal to the amounts contributed by the Cities of Los Altos Hills and Cupertino.

8. Solid Waste Franchise Amendment

Action: Upon a motion by Mayor Pro Tem Satterlee, seconded by Councilmember Carpenter, the Council unanimously adopted Resolution No. 2013-31, approving Amendment No. 1 to the Collection Service Agreement of March 23, 2010.

9. City/Schools Issues Standing Committee: Future agenda items

This item was continued to a future meeting.

ITEM PULLED FROM CONSENT CALENDAR

2. Proposed creek signs

Mayor Pro Tem Satterlee and Councilmember Carpenter provided comments.

Action: Upon a motion by Councilmember Bruins, seconded by Councilmember Pepper, the Council unanimously directed staff to proceed with the installation of Los Altos creek signs.

COUNCIL AND STAFF REPORTS AND DIRECTIONS ON FUTURE AGENDA ITEMS

Council Reports

Councilmember Bruins provided an update on the Stevens Creek Joint Cities Forum.

Councilmembers Bruins and Pepper reported they attended the League of California Cities Annual Conference September 19-20, 2013.

Councilmember Pepper reported she attended a meeting of the Los Altos/Los Altos Hills Joint Community Volunteer Service Awards Committee on September 9, 2013.

Future Agenda Items

Councilmembers Pepper and Carpenter and Mayor Pro Tem Satterlee requested an informational item regarding the timing of the Stevens Creek Trail agenda item.

Councilmembers Carpenter and Bruins and Mayor Fishpaw requested an informational item regarding the City's Complete Streets Policy.

ADJOURNMENT

Mayor Fishpaw adjourned the meeting at 11:12 p.m.

Jarrett Fishpaw, MAYOR

Jon Maginot, CMC, CITY CLERK