



## CITY COUNCIL MEETING MINUTES

7:00 PM - Tuesday, September 20, 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

Amy Chou with Troop 60477 led the pledge of allegiance.

### REPORT ON CLOSED SESSION

No closed session, nothing to report.

### CHANGES TO THE ORDER OF THE AGENDA

Council Member Lee Eng asked for Item 14 to be moved up to after Item 11, which was accepted.

### PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following members of the public addressed the Council: Cindy Murphy, Roberta Philips, Joe Beninato.

### CONSENT CALENDAR

2. **Solid Waste Disposal and Recycling Agreement:** Authorize the City Manager to execute the New Agreement on behalf of the City with International Disposal Corporation of California, Inc for recycling and disposal of the City's solid waste ( A. Fairman)
3. **Construction Contract Award:** Award Annual Street Resurfacing and City Alley Resurfacing Project (TS-01001, TS-01004, and TS-01009) (M. Loatfi)
4. **Emergency Declaration Resolution:** Adopt a resolution extending the declaration of a local emergency due to the COVID-19 pandemic (J. Maginot)
5. **Approve Amendment No. 1 to the Professional Services Agreement with Freyer & Laureta, Inc.:** Authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Freyer & Laureta, Inc. in the amount not-to-exceed of \$31,150 for construction inspection services for the CIPP Corrosion Rehabilitation, Project WW-01005, for a total

contract amount of \$182,250 and find that the approval of the amendment is exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15301 (T. Nguyen)

6. **Approve Amendment No. 11 to the Regional Water Quality Control Plant Basic Agreement:** Authorize the City Manager to execute Amendment No. 11 to the Regional Water Quality Control Plant Basic Agreement between the cities of Palo Alto, Mountain View, and Los Altos to fund rehabilitation and upgrade of the secondary treatment system and to increase the financing of the primary sedimentation tank rehabilitation project (T. Nguyen)
7. **Minutes:** Approve Minutes of the City Council Regular Meeting of August 23, 2022. (A. Rodriguez)
8. **Minutes:** Approve Minutes of the City Council Special Meeting of August 30, 2022. (A. Rodriguez)
9. **Minutes:** Approve Minutes of the City Council Regular Meeting of September 6, 2022. (A. Rodriguez)

Council Member Fligor requested Item 4 be pulled from the Consent Calendar. Mayor Enander indicated Item 4 would be taken after Item 13.

Following a motion by Council Member Weinberg, seconded by Council Member Lee Eng, Items 2, 3, 5-9 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

10. **330 Distel Circle Multiple Family Affordable Housing Development Project:** Consider finding the project exempt from environmental review under Section 15332 (Class 32) of the California Environmental Quality Act (CEQA), and consider approval of the Design Review Permit and Conditional Use Permit for a 90-unit multiple family residential affordable rental housing development project at 330 Distel Circle (Application Nos. D22-0002 and CUP22-0001) (R. Hayagreev)

Radha Hayagreev, Senior Consulting Planner with the City of Los Altos, gave a staff presentation to Council.

Welton Joran and Lily Ciammaichella from EAH Housing gave the developers presentation to the Council. Supervisor Simitian address the Council in favor of this project.

Council Member Weinberg disclosed that his client hired BKF Engineers, which worked on 330 Distel Circle, as an expert witness in a legal case but he has not been in a financial relationship with the company.

Council asked questions to staff and developers to which Development Services Director Nick Zornes and EAH Housing responded to.

The following from the public spoke: Anne Paulson, Roberta Phillips, Carl Van Reis, Sybil Cramer, Leah Cowan, Andrew Farmer, Ingrid Granados, Damian, Renee Rashid, Jeanine Valadez, Monica Waldman, Vahram Massehian, Joe Beninato, and Sanja Kelly.

Welton Jordan with EAH Housing addressed some of the comments made during public comments.

At 8:58 pm, Mayor Enander called for a recess and returned the meeting back to order at 9:10 pm.

Discussion between Council Members and the developer continued.

Following a motion by Council Member Weinberg, seconded by Council Member Lee Eng, to adopt a resolution of the City Council of the City of Los Altos approving a class 32 notice of exemption pursuant to the California Environmental Quality Act (CEQA) and approving the design review permit and conditional use permit applications for a 90-unit multiple family development proposal at 330 Distel Circle with the following conditions:

- A condition of approval that will obligate the developer to install level two charging to the extent that the City is able to work with the Developer to obtain financing for the level two chargers that are beyond the 9 chargers that the developer has stated in intention to provide
- A condition of approval that permits the developer to use the Proposed Design elevation for the Northwest rear side but include the balconies that are on the Current Design and to use the Proposed Design for the other two elevations as shown during the presentation
- Give Staff the authority to approved final building design and construction documents that are in substantial compliance in what was presented tonight
- To the extend legally possible, have the developers follow the City's Affordable Housing priority listing.

Motion passed with the following roll call vote:

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

## **DISCUSSION ITEMS**

### **11. AB 481 Military Equipment Use Policy**

Los Altos Police Captain Krauss presented the item to Council.

Council Member Fligor asked clarifying questions to Captain Krauss.

The following members of the public commented: Rene Rashid and Jeanine Valadez.

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

A motion by Council Member Lee Eng, seconded by Mayor Enander, to adopt of Los Altos Police Department Draft Policy 709, Military Equipment Use, as amended by Council Member Weinberg and Fligor, and allow for inclusion of edited language resulting from the meeting between the City Attorney and Police Chief Averitt passed with the following roll call vote:

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

- 14. Updated License Agreement with SFPUC for Hetch Hetchy Trail in Los Altos:** Approve the updated License Agreement with SFPUC for Hetch Hetchy Trail in Los Altos; find that the approval of the agreement is exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) (M. Hernandez)

City Manager Engeland presented the item to Council along with Manny Hernandez, Park and Recreation Director.

The following members of the public spoke: Donald Gardner, Cody Wang, Greg Stewart, Sybil Cramer, Nigel, Aris, John Tompane, Larry, Carol Kuiper, Todd Basche, and Sanja.

Council provided further comments and City Attorney Houston and City Manager Engeland responded.

City Manager Engeland indicated that this item will be brought back at the next meeting or when feasibility possible.

#### **Consent Item 4**

Council Member Fligor asked Staff for an update on the need of declaring a local emergency. City Manager Engeland indicated Assistant City Manager Maginot was not available but that it would be placed on the next agenda.

Following a motion by Council Member Enander, seconded by Council Member Lee Eng, Consent Item 4 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

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

Interim City Clerk Rodriguez introduced the item to Council.

The Council provided comments.

The Council agreed that it will not be appointing to the Park and Recreation and Public Arts Commission because they lacked sufficient candidates and will not be recruiting for any commissions pending Council's discussion on commission roles and responsibilities.

Council engaged in further discussions and took a 5-minute break to cast their votes.

The following members of the public spoke: Roberta Phillips, Pete Daily, and John.

City Manager Engeland reported out the following:

Chepe Mantica and Stuart Klein were appointed to full four (4) year terms to the Design Review Commission.

Mehruss Jon Ahi, Joe Beninato, and Kate Disney were appointed to full four (4) year terms to the Planning Commission.

Lisa Coe and Jonathan Adams were appointed to full four (4) year terms to the Historical Commission.

No further business was conducted per Council direction, Item 13 was deferred to the next regular Council meeting.

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

Council Member Fligor announced a teen substance use prevention event is taken place on October 4 at the Los Altos Library.

Council Member Lee Eng reminded all that our Teen Center opens this Friday at the Los Altos Community Center.

Council Member Weinberg noted upcoming Jewish holidays.

#### **ADJOURNMENT**

Mayor Enander adjourned the meeting at 12:34 pm.

ATTEST:

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Anita Enander MAYOR

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Angel Rodriguez, INTERIM CITY CLERK