



## CITY COUNCIL MEETING MINUTES

7:00 PM - Tuesday, November 29, 2022  
*via Videoconference and In Person*

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### CALL MEETING TO ORDER

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

### ESTABLISH QUORUM

**PRESENT:** Councilmembers Fligor, Lee Eng (via Zoom), Weinberg, Vice Mayor Meadows, and Mayor Enander

**ABSENT:** None

### PLEDGE ALLEGIANCE TO THE FLAG

Bree and Emery Najarian, with Troop 60477 will lead the pledge of allegiance.

### REPORT ON CLOSED SESSION

No closed session, nothing to report.

### CHANGES TO THE ORDER OF THE AGENDA

There were no changes.

### PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were none.

### CONSENT CALENDAR

1. **Annual Development Impact Fees:** Report for Fiscal Year 2022 (J. Du)
2. **Approve Addendum No. 11 to the Regional Water Quality Control Plant Basic Agreement:** Authorize the City Manager to execute Addendum 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)
3. **Accept 1266 Montclair Way Storm Drain Outfall Repair Project CF-01026:** Adopt Resolution No. 2022-\_\_ accepting completion of the 1266 Montclair Way Storm Drain Outfall Repair, Project CF-01026; and authorize the Environmental Services and Utilities Director to record a Notice of Completion as required by law (T. Nguyen)
4. **Quarterly Investment Portfolio Report:** Receive the Investment Portfolio Report through September 30, 2022 (J. Du)

5. **Approve updated Conflict of Interest Code:** Adopt Resolution 2022-XX updating the Los Altos Conflict of Interest Code for staff and commissioners pursuant to the Political Reform Act of 1974 (A. Rodriguez)
6. **Minutes:** Approve Minutes of the City Council Regular Meeting of November 15, 2022. (A. Rodriguez)

Following a motion by Vice Mayor Meadows, seconded by Councilmember Weinberg, Items 1-6 were approved with the following roll call vote:

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

## PUBLIC HEARINGS

7. **Approve use of Park-In-Lieu funds:** Authorize the City Manager or his designee to purchase and install shade structures over the playgrounds at the Los Altos Community Center and McKenzie Park in the amount of \$92,198.09 to the lowest responsible proposal from Ross Recreation Equipment (M. Hernandez)

Park and Recreation Director Hernandez presented the item to Council.

Councilmember Lee Eng asked a clarifying question to which Director Hernandez responded.

The following members of the public spoke: Nancy and Jeanine Valadez.

Director Hernandez responded to public comment.

Following a motion by Councilmember Fligor, seconded by Vice Mayor Meadows, to purchase and install shade structures over the playgrounds at the Los Altos Community Center and McKenzie Park in the amount of \$92,198.09 was approved with the following roll call vote:

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

8. **Adopt an Ordinance Adopting by Reference the 2022 California Building Codes with Amendments.** This Ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) (“CEQA”) and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines, § 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the proposed Ordinance would not be an activity with potential to cause significant adverse effect on the environment because the changes made to the California Green Buildings Standards Code within are enacted to provide more protection to the environment, and therefore is exempt from CEQA. It is also exempt from CEQA pursuant to CEQA Guidelines, § 15308 which exempts actions taken by regulatory agencies for the enhancement and protection of the environment. As such, the

Ordinance is categorically exempt from CEQA, and none of the circumstances set forth in CEQA Guidelines Section 15300.2 applies.

Possible Action:

A. Adopt an Ordinance amending Title 12 Buildings and Construction of the Los Altos Municipal Code, Sections 12.04, 12.08, 12.10, 12.12, 12.16, 12.20, 12.22, 12.24, 12.26, 12.30, 12.32, 12.42 and 12.68 adopting by reference the 2022 CALIFORNIA ADMINISTRATIVE CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA BUILDING CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA RESIDENTIAL CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA PLUMBING CODE, PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS; 2022 CALIFORNIA MECHANICAL CODE, PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS; 2022 CALIFORNIA ELECTRICAL CODE, PUBLISHED BY THE NATIONAL FIRE PROTECTION AGENCY; 2022 CALIFORNIA ENERGY CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA FIRE CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA EXISTING BUILDING CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA HISTORICAL BUILDING CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; AND 2022 CALIFORNIA REFERENCED STANDARDS CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.

Councilmember Fligor asked a clarifying question to which Environmental Services Director Fairman responded to.

There was no public comment.

Following a motion by Vice Mayor Meadows, seconded by Councilmember Fligor, to adopt an Ordinance amending Title 12 Buildings and Construction of the Los Altos Municipal Code, Sections 12.04, 12.08, 12.10, 12.12, 12.16, 12.20, 12.22, 12.24, 12.26, 12.30, 12.32, 12.42 and 12.68 adopting by reference the 2022 CALIFORNIA ADMINISTRATIVE CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA BUILDING CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA RESIDENTIAL CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA PLUMBING CODE, PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS; 2022 CALIFORNIA MECHANICAL CODE, PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS; 2022 CALIFORNIA ELECTRICAL CODE, PUBLISHED BY THE NATIONAL FIRE PROTECTION AGENCY; 2022 CALIFORNIA ENERGY CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA FIRE CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA EXISTING BUILDING CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; 2022 CALIFORNIA HISTORICAL BUILDING CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; AND 2022 CALIFORNIA REFERENCED STANDARDS CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; was approved with the following roll call vote:

AYES:	Councilmembers Fligor, Lee Eng, Weinberg, Vice Mayor Meadows, Mayor Enander
NOES:	None
ABSENT:	None

ABSTAIN: None

## DISCUSSION ITEMS

**9. City of Los Altos Flag Raising Policy:** Adopt Resolution 2022-XX of the City of Los Altos defining a Flag Raising Policy (A. Carnesecca)

Economic Development Coordinator Carnesecca presented the item to Council.

The following members of the public spoke: Jeanine Valadez, Nancy, and Roberta Phillips.

Councilmember Weinberg commented on this item. Council asked clarifying question to which City Attorney Houston, Economic Development Coordinator Carnesecca, and City Manager Engeland responded to.

Council engaged in discussion.

A motion by Councilmember Weinberg, seconded by Councilmember Fligor, to adopt resolution of the City Council of the City of Los Altos allowing for and establishing a Flag Raising Policy as a pilot program and to be brought back to Council for review no later than December 31, 2023, with the amendment that the Mayor does not have referral authority and that Staff bring forth a recommendation with respect to any application that is brought to Council, was approved with the following roll call vote:

AYES: Councilmembers Fligor, Weinberg, Vice Mayor Meadows  
 NOES: Councilmember Lee Eng, Mayor Enander  
 ABSENT: None  
 ABSTAIN: None

**10. Appoint Representative to VTA North County Cities Group:** Nominate a Councilmember to serve as the Valley Transportation Authority Board Alternate for the North County Cities Group

Mayor Enander introduced this item to the Council.

Council engaged in discussion.

The following member of the public spoke: Roberta Philips.

Council engaged in further discussion.

Mayor Enander moved to nominate both Councilmembers Weinberg and Lee Eng to be considered by the North County Cities Group to be the Valley Transportation Authority Board Alternate, and was seconded by Councilmember Lee Eng.

A substitute motion made by Councilmember Fligor to nominate Councilmember Weinberg to be considered by the North County Cities Group to be the Valley Transportation Authority Board Alternate, was seconded by Vice Mayor Meadows, was approved with the following roll call vote:

AYES: Councilmembers Fligor, Weinberg, Vice Mayor Meadows  
 NOES: Mayor Enander  
 ABSENT: None  
 ABSTAIN: Councilmember Lee Eng

**11. Review and Provide Direction:** Request for Transit Service Planning on San Antonio Road Corridor (M. Lee)

Mayor Enander introduced the item to the Council.

Councilmember Fligor asked clarifying questions to which City Manager England responded to.

There was no public comment.

Council directed staff to draft a letter indicating that the Council is interest in being part of the process.

**INFORMATIONAL ITEMS ONLY**

**12. Tentative Council Calendar**

Councilmember Fligor asked for the start time of the Reorganization meeting in December to which Assistant City Manager Maginot responded to.

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

Councilmember Lee Eng asked support for having a discussion item establishing a license plate reader in City of Los Altos which received support from Councilmember Weinberg and Mayor Enander.

Councilmember Fligor asked for an update on intersections on Foothill to which Public Works Director Sandoval responded to.

Councilmember Fligor asked for support from Council to form a subcommittee to explore how to address airplane noise, which received a second from Vice Mayor Meadows.

Councilmember Fligor asked about office hours for Councilmembers. City Manager Engeland indicated Staff will be happy to support any Councilmember with advertising their office hours.

Mayor Enander asked if the City will need to update to the HRI because of the passing of the new building code to which Community Development Director Zornes responded.

Councilmember Lee Eng reported that the celebrations of the 70<sup>th</sup> anniversary of the City will start on December 1.

Councilmember Weinberg reported that the JVAC Awards Ceremony will take place on Friday, December 2.

Mayor Enander reported that the tree lighting ceremony will take place at the Veterans Plaza on December 1.

**ADJOURNMENT**

Mayor Enander adjourned the meeting at 9:14 pm.

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Anita Enander MAYOR

ATTEST:

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Angel Rodriguez, INTERIM CITY CLERK