

# Town of Los Altos Hills

## City Council Regular Meeting Minutes

Thursday, April 20, 2023

Council Chambers, 26379 Fremont Road, Los Altos Hills, California

Present: Mayor Linda Swan, Vice Mayor Stanley Q. Mok, Councilmember Lisa Schmidt, Councilmember George Tyson, Councilmember Kavita Tankha (left the meeting at 9:15 p.m.)

Absent: None

Staff: City Manager Peter Pirnejad, City Attorney Steve Mattas, Administrative Services Director Sarina Revillar, Management Analyst II Cody Einfalt, Community Services Manager Sarah Robustelli, Project Manager Steve Padovan, Senior Planner Elaine Ling, Associate Planner Jeremy Loh, Public Works Director WooJae Kim, City Clerk Deborah Padovan

### **CALL TO ORDER (6:00 P.M.)**

A. Roll Call

B. Pledge of Allegiance

**Mayor Swan** called the meeting to order at 6:02 p.m.

**Mayor Swan** noted that **Councilmember Tankha** would take part in the meeting from her home, due to a medical condition.

**City Attorney Mattas** explained that AB 2449 allows councilmembers to participate remotely for what is referred to under the statute as “just cause,” which does include medical conditions by definition. He explained that roll call votes would be required, and that if the connection failed such that **Councilmember Tankha** could not be seen on the video, the meeting would have to be suspended until the connection could be reestablished.

### **1. AGENDA REVIEW**

**Mayor Swan** said that Items 4.J and 10.A were being removed from the agenda. Additionally, she requested that Item 6.A be considered immediately following Presentations from the Floor.

**MOTION MADE AND SECONDED:** Vice Mayor **Mok** moved to approve the changes to the agenda. The motion was seconded by Councilmember **Tyson**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson

NOES: None

ABSTAIN: None  
RECUSE: None  
ABSENT: None

**2. PRESENTATIONS AND APPOINTMENTS**

A. Recognizing the 2022 STEM Winners from the Town of Los Altos Hills

**Mayor Swan** presented certificates to **Vikram Mani** and **Sofia Shah** for their accomplishments in science and technology. **Mr. Mani** said he focused on Alzheimer’s Disease and **Ms. Shaw** worked on determining antioxidants in different fruits and how to maximize it.

B. Appointment to the North County Library Authority (NCLA)

**City Clerk Deborah Padovan** presented the application of **Aarti Johri**.

**Ms. Johri** introduced herself and explained why she wanted to serve on the authority.

**MOTION MADE AND SECONDED:** Councilmember **Schmidt** moved to appoint **Aarti Johri** to the North County Library Authority (NCLA) for a four-year term. The motion was seconded by Councilmember **Tyson**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

C. Appointment to the Los Altos Hills Technology Committee

**City Clerk Padovan** presented the application of **Ronald Haley**.

**Mr. Haley** expressed his interest in serving on the Technology Committee.

**MOTION MADE AND SECONDED:** Vice Mayor **Mok** moved to appoint **Ronald Haley** to the Technology Committee for a four-year term. The motion was seconded by Councilmember **Tyson**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

D. Presentation by Los Altos Hills County Fire District Regarding Firewise

**Denise Gluhan, Los Altos Hills County District**, provided an update on the activities of the district.

The Council thanked **Ms. Gluhan** for the presentation. No action was taken.

3. **PRESENTATIONS FROM THE FLOOR**

A. Public Comment

**Vrinda Bhandarkar, Los Altos Hills**, said she is a member of the Los Altos Hills Environmental Initiatives Committee (EIC) and spoke about reach codes. She said that the committee is working with SVCE to draft language for the existing buildings. The EIC is working on changing the reach codes to reduce emissions as much as possible.

At this point, the Council considered Item 6.A.

6. **ONGOING BUSINESS**

A. Consideration of **Resolution 35-23** approving updates to the Housing Element of the General Plan for the period of 2023 -2031, making findings that the Housing Element substantially complies with State Housing Element laws and affirmatively furthers fair housing, that the Town has considered findings from the California Housing and Development Department and made revisions to the Housing Element to address and respond to those findings and making a determination that that adoption of the Housing Element of the General Plan for the period of 2023-2031 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15283.

**Veronica Tam, Michael Baker International**, the town's housing element consultant, presented the Housing Element of the General Plan for the period of 2023 - 2031.

Council asked questions of staff and received responses from the City Attorney.

Public Comment

**Carol Gottlieb, Los Altos Hills**, urged Council to take into consideration what you're doing to the Town. She was not in favor of allowing 10,000 square feet on an acre of land. She supports the comments from the Planning Commission that are in the record. She asked that story poles be kept. Regarding duplexes and triplexes - eliminate the number that we have to do. We are going for rezoning and not overlays - you are killing the Town.

**Rajiv Patel, Los Altos Hills**, he said the suggested language in the letter written to the Council adequately addresses the concerns of HCD. This is about policies or programs to SB 9. Adding an absolute number is not good - keep it generic. Once something is in the Housing Element, our hands will be tied. Let's come up with something that is equal to all. Take their language as a guideline which is better than what has been proposed.

**Jim Waschura, Los Altos Hills**, said that the recommendations he provided are fair and responsive to the HCD letter. He spoke about constrained lots and incentives. The comments on SB 9 don't appear to require the extensive changes being proposed. What is the best information out there?

**Dru Anderson, Los Altos Hills**, expressed puzzlement about this and said it seems like the state is providing fuzzy direction. She expressed concerns for her neighbors on Saddle Mountain due to the proposed development on the Twin Oaks parcel and Arastradero Road.

**Allan Epstein, Los Altos Hills**, supported the comments by **Rajiv Patel** and **Jim Waschura**. Don't put in the documentation about the size of the property but don't commit to any larger size. Consider the impact on the existing neighbors. The LUF factor is important, and we will have a real difference in development. He suggested not eliminating the LUF.

**Michael Grady, Los Altos Hills**, said the presentation is saying 20 acres minimum for Twin Oaks and in numerous places in the draft element, there is a reference to zoning those parcels for 30 units an acre, there is no reason for zoning those for greater than the 20 units required under the state housing law. You can get to the numbers you need at 20 units per acre. Concerned about infrastructure, emergency vehicles, traffic.

**John O'Connell, Los Altos Hills**, he talked about the development proposal for Twin Oaks which is now 332 units. Low income and very low income are 7 and 17. The entire growth is in above market rate properties being designed for the maximum value. What is being proposed at Twin Oaks is horrendous. Why is the town going to concentrate the entire impact of multifamily in Saddle Mountain. He would like to see equity in how this will impact Los Altos Hills.

**Hari Sankar, Los Altos Hills**, he lives on Saddle Mountain and said the town is overburdening a small subset of residents by focusing all the building here. There is no equity or fairness here. He would like to see the units spread out.

**Martha Bowden, Los Altos Hills**, said she supports what **Michael Grady**, **John O'Connell** and **Hari Sankar** just said. All of the proposed units to be developed will need parking spaces and transportation.

**Sallie Smithe, Los Altos Hills**, said she just became aware of this and there are probably a lot of people not aware of what is going on. What was done to protect the character of LAH years ago? Why haven't the one acre lots been protected? Why are we not putting our people first? It seems like greed and caving into developers. Keep the single family, one acre zoning. That has to come first. Why is the town not shooting for the absolute minimum?

**Kit Gordon, Los Altos Hills**, emphasized the LUF - this calculation limits development on steep lots. The steep lots are in the wild urban interface - high fire danger. The flat lots are where we should be increasing density.

**Malika Junaid, Los Altos Hills**, said that we can minimize and do the minimum of what the state is requiring. She expressed concerns about infrastructure. She highly recommended that architects do pro bono work to determine where the housing should go. She suggested using incentives.

**Sasha Zbrozek, Los Altos Hills**, LUF is a constraint on the parcel and that is what HCD is most concerned about. There is no clear definition of how to specify contour lines. For purposes of determining parcel size, we should switch to using gross area. Please take that into consideration. Why is the Council choosing to adopt a housing element, as opposed to sending something out to HCD. HCD's determination of compliance is the only thing that matters.

**Anne Paulson, Los Altos**, spoke about the Twin Oaks proposal. The project that is citing is for 30 units for acre. If you decide to only up zone to 20 parcels, you no longer have any supporting evidence that something will be built there.

Council discussion ensued.

Council Recess at 8:20 p.m.

Council reconvened to Open Session at 8:37 p.m.

**MOTION MADE AND SECONDED:** Councilmember **Tyson** moved to approve **Resolution 35-23** approving updates to the Housing Element of the General Plan for the period of 2023 -2031, making findings that the Housing Element substantially complies with State Housing Element laws and affirmatively furthers fair housing, that the Town has considered findings from the California Housing and Development Department and made revisions to the Housing Element to address and respond to those findings and making a determination that that adoption of the Housing Element of the General Plan for the period of 2023-2031 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15283.

with the following modifications:

1. *Correct an error on page 13 of the Housing Element where it references that the hearing tonight as occurring on April 10, 2023, rather than today's date of April 20, 2023.*
2. *Provides authority for the City Manager, as part of the delegated authority portion in Section 9 of the resolution, to approve through discussion with the Department of Housing and Community Development (HCD):*
  - a. *the potential inclusion of a program that would allow for the consideration and adoption as part of the upcoming zoning amendments of the replacement for the LUF formula in a manner that would not reduce the overall development intensity that is already allowed under the LUF formula, and that would continue to provide protection on sloped properties similar to standards that are used in other communities for that type of regulation.*
  - b. *Amend the SB 9 language in the first bullet point under program B10 as follows:*

*Allow SB 9 units constructed on newly created SB 9 parcels to have default floor areas greater than 800 square feet as currently stated in the interim ordinance and require compliance with the Town's objective design standards which will be prepared as a part of the permanent ordinance. Additionally, allow SB 9 units the ability to obtain additional floor areas based on availability of Maximum Floor Area for the parcel and/or adherence to standard setbacks and easement dedication requirements as incentives. The maximum size of SB 9 units constructed on existing parcels will be determined through the Town's Maximum Floor Area/Maximum Development Area formula applicable to single-family residential developments in Town. In the event the language above is not acceptable to HCD, to revert to the proposed wording of first bullet point for Program B10 as set forth in the Housing Element update dated April 11, 2023.*
  - c. *potentially remove the third bullet point under Program B10 once staff has had the opportunity to further review that and make sure that it does not create any inconsistencies in the document or unintended consequences.*
  - d. *If the current proposed program related to modification of story pole regulation is not acceptable to HCD, authorize modifications to the story pole modification program and amendment to the zoning provisions which presently requires story poles, to allow for modification of that such that there would be visual simulations and potentially modeling as part of project application in lieu of the requirement to construct story poles.*

The motion was seconded by Vice Mayor **Mok**.

MOTION PASSED 5-0:

AYES: Swan, Mok, Schmidt, Tankha, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: None

**Councilmember Tankha** left the meeting at 9:15 p.m.

**4. CONSENT CALENDAR**

**MOTION MADE AND SECONDED:** Councilmember **Tyson** moved to approve the Consent Calendar with the exception of 4.J, which was removed from the agenda. The motion was seconded by Councilmember **Schmidt**.

Public Comment

**Allan Epstein, Los Altos Hills**, spoke regarding Item 4.G. The committee recognized that the limit needed to be increased but did not understand the rationale for the 140% increase. The committee would recommend that the town reports at each council meeting on any contract awarded between \$25,000 and \$60,000.

MOTION PASSED 4-0-1:

AYES: Swan, Mok, Schmidt, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: Tankha

- A. Approval of Special City Council Meeting Minutes – March 14, 2023
- B. Approval of Special City Council Meeting – March 16, 2023
- C. Approval of Regular City Council Meeting Minutes – March 16, 2023
- D. Review of Disbursements: March 1-31, 2023      \$1,756,732.98
- E. Approval of Treasurer’s Report for the Month Ended March 31, 2023 (Staff: S. Revillar)
- F. Memorandum to Council on the February 1, 2023 “Whole Community” Emergency Drill (Staff: C. Einfalt)
- G. Adoption (Second Reading) of **Ordinance 609** Amending Title 2, Chapter 4, of the Los Altos Hills Municipal Code Modifying the Purchasing System Ordinance to Increase City Manager’s Purchasing Authority and Threshold Amount for Formal Bid

Process Staff: W. Kim & P. Pirnejad) Motion to Waive Reading and Adopt the Ordinance

- H. **Resolution 36-23** Approving the Plans and Specifications for the 2023 Pavement Rehabilitation and Drainage Improvement Project and Authorizing Staff to Advertise for a Formal Bid (Staff: W. Kim)
- I. **Resolution 37-23** Approving the Application for Construction of 12864 Viscaino Road Sanitary Sewer Main Extension and the Sewer Construction and Dedication Agreement (Staff: W. Kim)
- J. ~~Resolution Approving the Application for Construction of 25605 Fernhill Drive Sanitary Sewer Main Extension and the Sewer Construction and Dedication Agreement (Staff: W. Kim) – This item was removed from the agenda.~~
- K. **Resolution 38-23** Authorizing the City Manager to Enter into an Agreement with Full Circle Catering for Town Picnic Catering (Staff: S. Robustelli)
- L. **Resolution 39-23** Approving the Second Amendment to the Agreement for Countywide Household Hazardous Waste Collection Program (Staff: W. Kim)

**5. NEW BUSINESS**

- A. Consideration of Rescheduling the May City Council meeting, Cancelling the July City Council meeting and rescheduling the September City Council meeting (Staff: D. Padovan)

**MOTION MADE AND SECONDED:** Councilmember **Schmidt** moved to Cancel the May 18, 2023 Regular City Council meeting; schedule a special City Council meeting on May 17, 2023; Cancel the July City Council meeting; Cancel the September 21, 2023 Regular City Council meeting and schedule a special City Council meeting on Thursday, September 28, 2023. The motion was seconded by Councilmember **Tyson**.

MOTION PASSED 4-0-1:

AYES: Swan, Mok, Schmidt, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: Tankha

- B. **Resolution 40-23** Naming a Town Pathway that Connects Central Drive with Moody Court the Art Lachenbruch Path (Staff: W. Kim)

**Public Works Director WooJae Kim** presented the staff report.



**MOTION MADE AND SECONDED:** Councilmember **Schmidt** moved to approve **Resolution 40-23** Naming a Town Pathway that Connects Central Drive with Moody Court the Art Lachenbruch Path. The motion was seconded by Councilmember **Tyson**.

MOTION PASSED 4-0-1:

AYES: Swan, Mok, Schmidt, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: Tankha

7. **PUBLIC HEARINGS**

➤ City Council Ex Parte Contacts Policy Disclosure

- A. APN336-35-044 (water storage tanks near 24752 Olive Tree Lane) – File #CUP22-0004 – Lands of California Water Service Company - Consideration of a Conditional Use Permit Request for an existing water storage facility and permit construction of two new chemical storage sheds, one containing 40% concentration Ammonium Sulfate and one containing Sodium Hypochlorite; chemicals needed to prevent nitrification of water during purification process. CEQA review: Categorical Exemption per Section 15301(b) (Staff: J. Loh) (**Resolution 41-23**)

Ex Parte Communications: None

**Mayor Swan** opened the Public Hearing.

**Associate Planner Jeremy Loh** presented the staff report.

There were no public comments.

**Mayor Swan** closed the Public Hearing.

**MOTION MADE AND SECONDED:** Councilmember **Schmidt** moved to approve **Resolution 41-23** of the City Council of the Town of Los Altos Hills Making Categorical Exemption Determination Under CEQA and Approving a Conditional Use Permit for an Existing Water Storage Facility and Permit Construction of two Chemical Storage Sheds and an Equipment Shed (Lands Of California Water Service Company). The motion was seconded by Vice Mayor **Mok**.

MOTION PASSED 4-0-1:

AYES: Swan, Mok, Schmidt, Tyson  
NOES: None  
ABSTAIN: None

RECUSE: None  
ABSENT: Tankha

- B. 12345 El Monte Road – File #SP23-0001 – Lands of Foothill-De Anza Community College District Consideration of a Landmark Alteration Permit for interior and exterior alterations to a designated Historic Landmark. CEQA review: Categorical Exemption per Section 15331 (Staff: J. Loh) (**Resolution 42-23**)

**Associate Planner Jeremy Loh** presented the staff report.

**Mayor Swan** opened the Public Hearing.

**Rajiv Bhateja, Los Altos Hills**, said he questions the decision of a wooden fire escape.

**Carol Gottlieb, Los Altos Hills**, the committee submitted a letter and the carriage house will be taken down to the studs and it is all going to be new material. They think they could put in the non-functional garage doors. She would like to see the awning removed and the lighting fixtures repaired.

**Ella Bisconti**, applicant spoke about the funding structure for this project.

**Flynn Rosenthal, Project Manager with DSK Architects**, spoke about the project - specifically about the fence.

**Carol Gottlieb** said that they didn't pay their fees till the end of March and the committee didn't get to hear the item until March and then an emergency item needed to be added to the agenda.

**Mayor Swan** closed the Public Hearing.

**MOTION MADE AND SECONDED:** Councilmember **Tyson** moved to continue the meeting past 10 p.m. The motion was seconded by Vice Mayor **Mok**.

MOTION PASSED 4-0-1:

AYES: Swan, Mok, Schmidt, Tyson  
NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: Tankha

**MOTION MADE AND SECONDED:** Councilmember **Tyson** moved adopt the **Resolution 42-23** of the City Council of the Town of Los Altos Hills Making Categorical Exemption Determination Under CEQA and Approving a Landmark Alteration Permit to Allow Interior and Exterior Alterations to the Carriage House at Foothill College (Lands of Foothill-De Anza Community College District) and Make

CEQA determination of categorical exemption and approve the project subject to listed conditions of approval and issue a letter to the applicant with suggested changes for inclusion in a future project or plan revision that would not require resubmittal to the Division of the State Architect. The motion was seconded by Councilmember **Schmidt**.

MOTION PASSED 4-0-1:

AYES: Swan, Mok, Schmidt, Tyson

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: Tankha

## 8. **STAFF REPORTS**

### A. City Attorney

No report.

### B. City Clerk

No report.

### C. Planning Director

No report.

### D. Administrative Services Director

**Director Revillar** reported that staff is working on the budget and will be presenting it to the FIC on Monday, May 8, 2023, and our joint Council/FIC meeting on Thursday, May 25, 2023. Also, staff have requested bids for IT services and it closes tomorrow.

### E. Public Works Director

**Director Kim** reported that on Monday, April 10, 2023, we met with FEMA and CalOES for the January storms, and we are attempting to seek reimbursement. Staff is scheduled to have a site walk with them on Wednesday, May 10, 2023, and staff will provide further updates to Council.

### F. City Manager

**City Manager Pirnejad** reported on the following:

- Private security deployment.

- Summary of crime and law enforcement information.
- Ribbon cutting and food truck social.
- Pathways Run/Walk – Saturday, May 13, 2023.
- Town Picnic – Sunday, June 4, 2023.

9. **REPORTS FROM COMMITTEES, SUB-COMMITTEES, AND COUNCILMEMBERS ON OUTSIDE AGENCIES**

A. Report by the Undergrounding Subcommittee (Councilmember Tyson)

No update.

B. Report from the Council Ad Hoc Committee Focusing on Broadband (Councilmembers Mok and Tankha)

Working on the wireless transmission facility.

C. Report from the Council Ad Hoc Committee on Residential Burglaries (Councilmembers Tankha and Tyson)

Nothing new to report.

D. Report from the City Council Ad Hoc Committee to Review the Changes to the Standing Committee Resolution (Councilmembers Schmidt and Tyson)

**Councilmember Tyson** said they had a listening session with committee chairs. The next stage will be to look at existing code and communicate with chairs before anything further goes out.

E. Status Reports from All Councilmembers on Committee Liaison Assignments and Outside Agencies Activities

**Vice Mayor Mok** reported on the Cities Association for valley water to attempt to get a bond measure so they can have money to house the unhoused. **Councilmember Tyson** reported on SVCE and said they approved a contract to provide electric power from a biomass facility - it is renewable energy and it is 24/7. They approved a natural gas battery project - which recharges the batteries from the grid when it is cheap. They also approved a voluntary rate structure for not using electricity from 4:00 p.m. to 9:00 p.m.

10. **COUNCIL INITIATED ITEMS**

~~A. Request by the History Committee for Funding of the Stegner Outdoor Exhibit (Mayor Swan) – This item was removed from the agenda.~~

B. Council Liaison Relationship with Standing Committees (Mayor Swan)

**Mayor Swan** introduced the topic. She read a statement. No action was taken.

- C. Memo on April 23rd Appreciation Dinner for Community Safety Leaders  
Councilmember Schmidt)

**Councilmember Schmidt** presented the item. No action was taken.

**11. ADJOURN**

The meeting was adjourned at 10:45 pm in memory of Robert “Bob” Anderson.

Respectfully submitted,

*Deborah L. Padovan*

Deborah Padovan  
City Clerk

The minutes of the April 20, 2023, special City Council meeting were approved as presented at the May 17, 2023, special City Council meeting.