

**Town of Los Altos Hills
City Council Special Meeting**

**Thursday, March 23, 2017 – 6:00 p.m.
Council Chambers
26379 Fremont Road
Los Altos Hills, California**

CALL TO ORDER, ROLL CALL

Mayor Waldeck called the City Council Special Meeting to order at 6:00 p.m. in the Council Chambers at Town Hall.

Present: Mayor Waldeck, Vice Mayor Radford, Councilmember Spreen, Councilmember Wu (arrived at 6:35 p.m.)
Absent: Councilmember Corrigan
Staff: City Manager Carl Cahill, Senior Planner Marni Moseley, Administrative Technician Veronica Flores

1. Discussion and Receive Public Input on Short Term Rentals

Mayor Waldeck stated that the purpose of the meeting was to discuss short term rentals and hear the public's concerns. He gave a brief background on when the topic was brought to the Council's attention in the past.

Councilmember Spreen and **Vice Mayor Radford** stated that they were here to listen to the concerns and issues from the audience.

PUBLIC INPUT

Scott Vanderlip, Los Altos Hills, stated his support for short term rentals. He said that his family and he have opened their home to friends and family in the past for reasons such as receiving medical treatment from Stanford Hospital and graduate college students looking for housing. He stated that whether or not compensation is collected, he believes being taxed for sharing your home with others is unfair. He said he does not want an ordinance to limit with whom he shares his home.

Cindy Libuit, Los Altos Hills, said she saw no problem with renting out homes to friends and family. She stated that her concerns were with homes being rented for parties and other similar events like is being done at a property on Taaffe Road. Further, she said these rentals create issues with parking, noise, trash left out on their yard, and wandering intoxicated people. She said it is an ongoing issue and stated that it is against the law.

Vice Mayor Radford asked the City Manager to clarify whether short term rentals are against city ordinance. **City Manager Cahill** stated that the ordinance is written in such a way that the Town specifies what is allowed and anything that is not on that list is technically prohibited. He said short term housing rentals are not explicitly permitted.

Discussion ensued over 26375 Taaffe Road.

Marni Moseley, Senior Planner, stated that the Town has a code compliance officer on staff and encouraged residents to voice concerns on a Code Enforcement Investigation Request.

Kenneth Graham, Los Altos Hills, stated that he is surrounded by three rental properties and spoke against short term rentals. He said that rentals are uberizing Los Altos Hills neighborhoods and fail to maintain our residential community.

Bill and Roxann Happ, Los Altos Hills, spoke against rentals. They said a property in their neighborhood was bought and used for commercial rentals. They questioned whether Los Altos Hills permits these types of enterprises. They said they would like to see rentals regulated with a 30-day maximum policy and the prohibition of subleases.

Kenneth Moussavian, Los Altos Hills, spoke on behalf of his neighbors who provided a letter to be read aloud. He spoke against short term rentals and referenced 12661 Robleda Road being advertised on the internet as a party house rental. He said issues associated with this property including noise, outdoor lighting late at night and parking at the Purissima Little League Field parking lot.

Mayor Waldeck asked whether they had called the sheriff to report the incident. **Mansour Moussavian, Los Altos Hills** responded that he did and the nuisance stopped. Further, he stated his support of sharing ones' home with friends and family but not with people only looking to host parties.

Ms. Moseley, Senior Planner, said that the Robleda Road property in question was listed as an LLC property owner which made it difficult to address the issue. The Town was able to make contact and the property is now on the market.

City Manager Cahill said the Town had to warn the property owner of the possibility of shutting off their water and electricity to motivate them to comply with town ordinances.

Vice Mayor Radford inquired about the Taaffe property and what action could be taken. **City Manager Cahill** stated the Town needed more information to proceed.

Greg Badros, Los Altos Hills, stated that the Town needs tools to enforce prohibition on short term rentals used for specific events such as the ones described by previous residents. He said that it is important to distinguish the types of rentals based on features such as whether the primary residence versus the second unit is being rented, the home owner is living in the main property and renting the second unit, the number of nights rented, and other like features. Further, he said he would not want to be in violation of an ordinance for receiving gifts or compensation for allowing people to use his guest house. He said that type of situation could be avoided with implementing rules and regulations.

Cindy Libuit, Los Altos Hills, said she believed the important distinction is whether or not the property owner is on site.

Bala Mani, Los Altos Hills, spoke in favor of creating guidelines for short term rentals and ensuring homes are not being used for commercial purposes.

Scott Vanderlip, Los Altos Hills, stated the importance of all residents being aware of the ability to report a nuisance to the Town.

Rene and Susan Welti, Los Altos Hills, said that it is the owner's responsibility to provide procedures and rules for possible guests or tenants, and ensure they are complying. They stated that owners should have applicants go through a screening process before renting out their home.

Bonnie Badertscher, Los Altos Hills, said she was very concerned with short term rentals. She stated that Carmel-by-the-Sea had strict rules for rentals and they have always adhered to them. She said she would like to see the Town implement rules and regulations before rentals become a bigger issue. She states that many home owners move to Los Altos Hills for the rural environment and would like to maintain town values.

Councilmember Wu arrived at 6:35 p.m.

COUNCIL DISCUSSION

Vice Mayor Radford clarified that commercial enterprises are not allowed in the Town. He stated that individuals that purchase property for commercial purposes need to be stopped. He also stated that there is a need for guidelines for time limits on rentals.

Councilmember Spreen stated the need for a definition on what is considered commercial and what is not. He said that the compatibility or rentals with residential neighborhoods should be taken into consideration. He stated that the sheriff is a resource that should be utilized and contacted when necessary. Further, he said there is a need to specify who is accountable in these sorts of situations and he is struggling to decide what is enforceable.

Vice Mayor Radford stressed the urgency to stop investors as soon as possible.

Councilmember Wu stated that the main concerns with rentals, commercial or not, are public safety and the disturbance to the neighborhood.

Mayor Waldeck stated that Los Altos Hills is a small town with a small staff that does not have charge to go out and find these issues. He said we are a complaint based community and residents should voice their concerns to the Town to look into and take action. He suggested looking into what cities facing similar problems are doing. He stated short term rentals will be agendized for the next City Council regular meeting and that the Council is committed to fixing the issue.

Vice Mayor Radford said he wanted an option to immediately act on at the next City Council meeting.

Mayor Waldeck said that taking immediate action would be premature seeing as not all council members are present and there are issues on both ends of the topic.

PUBLIC INPUT

Greg Badros agreed with **Vice Mayor Radford** on the urgency of the matter. He stated the Town needs to regulate short term rentals and make them economically unattractive instead of doing away with them.

Stephen Chan, Los Altos Hills, spoke against properties being partitioned and constantly rented.

John Montrym, Los Altos Hills, stated the need to define what crosses the line and what does not. He suggested limiting the number of rentals allowable per year.

Basil Burke, Los Altos Hills, stated that it is not only new homeowners and investors that are renting out their properties. He said the Town should look into what causes neighbors to want to rent out their property such as a capitalist society where people are constantly trying to make more profit. He said he would like the Town to control rentals within the law.

Linda Swan, Los Altos Hills, said she was not in favor of banning short term rentals and would rather like the Town to focus on mitigating the negative impacts they are having.

Vice Mayor Radford stated that no councilmember is looking to ban short term rentals.

Gary Sawka, Los Altos Hills, spoke against short term rentals. He said that they are not right for the Los Altos Hills community and would like for the Town to retain its residential neighborhoods.

Mayor Waldeck restated that this item will be agendized on the next City Council meeting agenda.

Megan Winslow, Los Altos Town Crier, asked when the next City Council meeting would be. **Mayor Waldeck** responded that it was scheduled for April 20, 2017.

2. Adjourn

The meeting adjourned at 7:07 p.m.

Respectfully submitted,



Veronica Flores
Administrative Technician

The minutes of the March 23, 2017 special City Council meeting were approved as presented at the April 20, 2017 regular City Council meeting.