

# Town of Los Altos Hills

## City Council Special Meeting Minutes

Thursday, July 22, 2021 – 6:00 p.m.

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

Via teleconference according to the Governor’s Executive Order N-08-21, **Mayor Tankha** called the City Council Special Meeting to order at 6:00 p.m.

Present: Mayor Tankha, Vice Mayor Tyson, Councilmember Mok, Councilmember Swan  
Absent: Councilmember Schmidt  
Staff: City Manager Carl Cahill, City Attorney Steve Mattas, Interim Planning/Building Director Steve Padovan, Administrative Services Director Sarina Revillar, Community Services Supervisor Sarah Robustelli, Associate Planner Jeremy Loh, Management Analyst Cody Einfalt, City Clerk Deborah Padovan

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

- A. Roll Call
- B. Pledge of Allegiance

### **1. AGENDA REVIEW**

There were no changes to the agenda. **Councilmember Mok** asked to comment on the flights over Los Altos Hills and community fiber. **City Attorney Mattas** said the aircraft noise issue could come up under item 7.D. The community fiber is already on the agenda.

### **2. PRESENTATIONS AND APPOINTMENTS**

- A. Reappointment to the Los Altos Hills History Committee

**City Clerk Padovan** presented the reappointment request of **Sally Wood**.

**MOTION MADE AND SECONDED:** Mayor **Tanka** moved to reappoint **Sally Wood** to the History Committee for a second, four-year term. The motion was seconded by Councilmember **Swan**.

MOTION PASSED 4-0-1:

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

RECUSE: None  
ABSENT: Schmidt

B. Reappointment to the Los Altos Hills Environmental Initiatives Committee

**City Clerk Padovan** presented the reappointment request of **Pat Lang**.

**MOTION MADE AND SECONDED:** Mayor **Tanka** moved to appoint **Pat Lang** to the Los Altos Hills Environmental Initiatives Committee for a second four-year term. The motion was seconded by Councilmember **Mok**.

MOTION PASSED 4-0-1:

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

C. Reappointments to the Los Altos Hills Environmental Design and Protection Committee

**City Clerk Padovan** presented the reappointment requests of **Nancy Couperus** and **Peter Brown**.

Public Comment

**Peter Brown** expressed his desire to serve a second term on the committee. He stated that he believes the committee is valuable to the Town.

**MOTION MADE AND SECONDED:** Mayor **Tanka** moved to reappoint **Nancy Couperus** to a third four-year term and **Peter Brown** to a second four-year term to the Los Altos Hills Environmental Design and Protection Committee. The motion was seconded by Vice Mayor **Tyson**.

MOTION PASSED 4-0-1:

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

D. Annual Presentation of the Los Altos Hills Open Space Committee

**Kit Gordon, Chair, Open Space Committee** presented the annual report of the committee.

The Council thanked **Ms. Gordon** for all of committee's hard work this past year.

**Ms. Gordon** said the committee has not been full since a two-term limit was imposed. She asked Council to reconsider this.

**Councilmember Swan** asked if this could be discussed.

**Mayor Tankha** clarified that there are no term limits on this committee. Preference is given to first-time applicants.

**City Clerk Padovan** told Council she was advertising for applicants for those committees having vacancies and hoped to bring applications to the August 19<sup>th</sup> meeting for Council's review.

**Ms. Gordon** said that members have not reapplied for a third term as they believed they could not.

**Mayor Tankha** asked if there was in fact a two-term limit.

**City Clerk Padovan** stated that it was a guideline in the standing committee resolution, but it is Council's decision whether to reappoint members who have served two or more terms.

**City Attorney Mattas** added that the resolution does not impose a two-term limit but encourages the appointment of new applicants when members have served two or more terms. The application of this has varied with different councils over the years. Any council could modify the resolution if they so desired.

**Councilmembers Mok and Swan** felt that members who have served two terms should be encouraged to reapply.

The Council received the Committee's report. No action was taken.

E. Annual Presentation of the Los Altos Hills Pathways Committee

**Bob Elson, Chair, Pathways Committee** presented the annual report of the committee.

Council discussion ensued. They acknowledged the hard work of the committee to audit the entire pathways system.

**Vice Mayor Tyson** noted that pathways seem to have been installed in a somewhat patchwork manner. Was the intention of the new funding to rectify this?

**Mr. Elson** said a mandate to install pathways by segment is needed to avoid falling behind.

**Vice Mayor Tyson** asked if some segments could be built, and another report could be presented after some real-life construction was completed.

**Mr. Elson** agreed but said that a process needs to be put in place directing that construction take place. If a pathway is to be installed at one house, and another one exists a few houses down, it makes sense to go ahead and install three or four segments joining those two paths rather than continue in a hodgepodge manner. It also reduces costs. He feels that the current policy of having the town oversee the installation of paths puts a tremendous burden on staff and the pandemic and staff shortages have exacerbated the problem.

**Councilmember Swan** suggested that we need a future agenda item to review fees for appropriateness and discuss possible partial funding by the town.

**Mayor Tankha** recalled that when the current policy was put in place, the idea was to reevaluate it after a year. She believes it is time to do so. She suggested the Pathways Committee discuss possible options, review them with staff, and return to Council.

**Councilmember Mok** asked if the GIS work that the Council funded has been progressing.

**Mr. Elson** replied that they have the money and the project, but he has not been able to connect with Lynx Technologies after their initial exchanges.

**Mayor Tankha** asked **City Manager Cahill** what Council could do to help with pathways.

**City Manager Cahill** asked **Interim Planning/Building Director Steve Padovan** if he knew why Lynx had been unresponsive.

**Interim Director Padovan** responded that he would contact **Patrick Kelleher** with **Lynx Technologies** to determine why this part of the project had not moved forward. He believed it was part of the contract Lynx had with the Town.

**City Manager Cahill** added that he would make sure that **Mr. Kelleher** was aware that **Mr. Elson** had full authority to speak with him about the project. **Mr. Cahill** also provided input on a proposed License Agreement between the Town of Los Altos Hills and Purissima Hills Water District regarding the pathway crossing the water district's property at Robleda Road.

**Mayor Tankha** mentioned that the water district's lease on that property comes up for renewal soon and they should be aware that they need to work with the town on projects.

**City Manager Cahill** explained that the water district is working with the town; but their priorities are not the same as the town's.

Public Comment

**Allan Epstein, Los Altos Hills**, asked about the way **Mr. Elson** identified the map between the 2005 vs. 2020 map. The Council reviewed and updated it in 2020.

**Carol Gottlieb, Los Altos Hills**, said that the La Paloma/Robleda is a pedestrian/equestrian path, not using stairs. There is a distinct difference between the two maps. The 2005 maps have been updated with those 5 or 6 areas that have not been completed. No other work has been done. The pathways map has been updated as paths are built. You are dealing with two maps.

**Jeff Mason, Los Altos Hills**, said the public is appreciative of the work of the Pathways Committee. He inquired if the committee would consider adding more doggie-waste stations.

**City Clerk Padovan** read comments from resident **Robert Sandor** into the record.

The Council received the Committee's report. No action was taken.

- F. Presentation on the results of the 2020/21 Accessory Dwelling Unit (ADU) Town-Wide Survey by M-Group

**Sung Kwon, Principal Planner** and **Erin Tou, Assistant Planner, M-Group**, presented the results of the 2020-21 Accessory Dwelling Unit Townwide Survey.

Public Comment

**Allan Epstein, Los Altos Hills**, asked of the 28% ADUs reported in design or construction, is that 28% of the responses received? Also, statistically do you project your results to the 3,000 homes in the town? Also, what were the concerns about the impact on the community, as he noted that he did not see that in the report.

Council received the report. No action was taken.

- G. Presentation and Request by the Los Altos Hills Chamber of Commerce for Additional Funding in the amount of \$100,000

**Kim Mosley, Los Altos Chamber of Commerce**, presented the chamber's request for the \$100,000.00 to support the chamber of commerce.

Council discussion ensued. At the August City Council meeting, the staff could return to the council with eligible expenditures of those funds.

Public Comment

**Jim Waschura, Los Altos Hills**, said that he hopes that funds that come in can help the community.

**City Clerk Padovan** read a comment into the record from resident **Robert Sandor**.

No action was taken.

**3. PRESENTATIONS FROM THE FLOOR**

**Jitze Couperus, Los Altos Hills**, said he has been approached by a number of residents to bring things to their attention. Ten years ago **City Clerk Deborah Padovan** was hired by the town. Her service to the town is deeply appreciated by the residents.

**City Clerk Padovan** read a comment into the record from resident **Robert Sandor**.

**4. CONSENT CALENDAR**

**Councilmember Mok** asked to pull items 4.H and 4.K for discussion.

**Councilmember Swan** asked to pull item 4.F for discussion.

**MOTION MADE AND SECONDED:** Vice Mayor **Tyson** moved to approve the **CONSENT CALENDAR** with the exception of items 4.F, 4.H, and 4.K. The motion was seconded by Councilmember **Mok**.

MOTION PASSED 4-0-1:

AYES: Tankha, Tyson, Mok, Swan

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: Schmidt

A. Approval of City Council Special Meeting Minutes: June 16, 2021

B. Approval of City Council Regular Meeting Minutes: June 17, 2021

C. Approval of City Council Special Meeting Minutes: June 29, 2021

D. Approval of City Council Special Meeting Minutes: July 8, 2021

E. Review of Disbursements: June 1-30, 2021 \$883,529.40

F. Resolution Approving Transfer of Unclaimed Funds to Originating Fund (Staff: S. Revillar)

**Councilmember Swan** said the funds should go to the state, not to the Town so the individuals could come back later and collect the money.

**City Attorney Mattas** said that the Town is in compliance with state law.

Council discussion ensued.

**MOTION MADE AND SECONDED:** Councilmember **Swan** moved to transfer the unclaimed funds to the state to the extent permissible by law. The motion was seconded by Councilmember **Mok**.

MOTION PASSED 4-0-1:

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

- G. Approval of Change in Regular Meeting Date and Time for the Los Altos Hills Environmental Initiatives Committee (Staff: D. Padovan)
- H. **Resolution 51-21** Authorizing for City Manager to Execute Standing Purchase Orders for Fiscal Year 2021-2022 in an Amount Not to Exceed \$6,138,456 (Staff: S. Revillar)

**Councilmember Mok** questioned the amount of \$450,000 for law enforcement services. He said he does not recall voting on the additional deputy for the swing shift.

**MOTION MADE AND SECONDED:** Councilmember **Mok** moved to approve **Resolution 51-21**, Authorizing for City Manager to Execute Standing Purchase Orders for Fiscal Year 2021-2022 in an Amount Not to Exceed \$6,138,456, as amended to remove the \$450,000 for the second sheriff's deputy. The motion was seconded by Councilmember **Swan**.

MOTION PASSED 4-0-1:

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

- I. **Resolution 45-21** Authorizing the City Manager to Award a Design Services Contract for the East Sunset Drive Roadway Widening Project in an amount not to exceed \$30,550 (Staff: Public Works)

- J. **Resolution 46-21** Accepting the Sunhills Drive Sanitary Sewer Main Extension Project and Approving a Sanitary Sewer Dedication and Reimbursement Agreement between the Town of Los Altos Hills and Jody Akana and Julien Plougastel (Staff: Public Works)
  
- K. **Resolution 52-21** Accepting the Magdalena-Albertsworth Sanitary Sewer Main Extension Project and Approving a Sanitary Sewer Dedication and Reimbursement Agreement between the Town of Los Altos Hills and Sotiria Trembois, Donna Whitney, and Don J. Leonard (Staff: Public Works)

**Councilmember Mok** questioned the reimbursement sewer agreement.

Council discussion ensued.

Public Comment

**Allan Epstein, Los Altos Hills**, said it would be a mistake to grant a 25-year reimbursement agreement from the current date. There are many applicants who have applied and have received 25 years from the date of acceptance. It would be inequitable to the other residents. For equity purposes, it would be unwise to forward date this nine years from when the sewer line was accepted. The applicant should get agreement, but back date it.

Further council discussion ensued. **City Attorney Mattas** said that the Council could provide direction to staff that these agreements come to the Council within a year of acceptance of the line. It should be made clear to the applicants, that if they choose to wait, they are at risk of losing those years.

**MOTION MADE AND SECONDED:** Vice Mayor **Tyson** moved to approve **Resolution 52-21** Accepting the Magdalena-Albertsworth Sanitary Sewer Main Extension Project and Approving a Sanitary Sewer Dedication and Reimbursement Agreement between the Town of Los Altos Hills and Sotiria Trembois, Donna Whitney, and Don J. Leonard, and to direct staff to prepare for Council’s approval a revised policy shortening the period of time during which new sewer project reimbursement agreements are to be brought to the town for acceptance. The motion was seconded by Councilmember **Swan**.

MOTION PASSED 4-0-1:

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



- L. **Resolution 47-21** Approving an Agreement for Open Space Easement at 24269 Dawnridge Drive; Lands of Lim; File #SD19-0089 (Staff: J. Loh)
- M. **Resolution 48-21** Approving an Historic Property Preservation Agreement at 14700 Manuella Road; Lands of Hauser; File #SP21-0001 (Staff: J. Loh)
- N. **Resolution 49-21** Approving an Agreement for Open Space Easement at 13581 Wildcrest Drive; Lands of Sutaria Family Trust; File #ER21-0002 (Staff: S. Padovan)
- O. Motion Authorizing Payment to Shaw Law Group in the amount of \$2,572.50 and Oppenheimer Investigations Group, LLP in an amount up to \$25,000 for personnel-related legal services (Staff: S. Mattas)
- P. **Resolution 50-21** Authorizing the City Manager to Reimburse the Sewer Main Relocation Project at 13428 Carillo Lane (Staff: Public Works)

**5. PUBLIC HEARINGS**

► City Council Ex Parte Contacts Policy Disclosure

- A. 11997 Hilltop Drive – File #CUP21-0002 – Lands of Sarraf  
**Resolution 53-21** to Adopt a 10-year renewal of the Conditional Use Permit for an existing wireless telecommunications facility with no changes to equipment or structures.  
 CEQA review: Categorical Exemption per Section 15301 (b) (Staff: J. Loh)

There were no ex parte communications.

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

**Mayor Tankha** opened the Public Hearing.

Seeing no public comments, **Mayor Tankha** closed the Public Hearing.

**MOTION MADE AND SECONDED:** by Vice Mayor **Tyson** moved to approve **Resolution 53-21** to Adopt a 10-year renewal of the Conditional Use Permit for an existing wireless telecommunications facility with no changes to equipment or structures. The motion was seconded by Councilmember **Mok**.

MOTION PASSED 4-0-1:

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

- B. Introduction of **Ordinance 597** (First Reading) Amending Title 12, Chapter 1 “Parks, Preserves and Public Areas”, Section 12-1.01 “Acts Prohibited” to Include Smoking (Staff: S. Robustelli) Motion to Waive Reading and Introduce the Ordinance

**Community Services Supervisor Sarah Robustelli** presented the staff report.

**Mayor Tankha** opened the Public Hearing

Seeing no one wishing to speak, **Mayor Tankha** closed the Public Hearing.

Council discussion ensued.

**MOTION MADE AND SECONDED:** Mayor **Tankha** moved to waive the reading and Introduce **Ordinance 597** Amending Title 12, Chapter 1 “Parks, Preserves and Public Areas”, Section 12-1.01 “Acts Prohibited” to Include Smoking. The motion was seconded by Councilmember **Swan**.

MOTION PASSED 4-0-1:

AYES: Tankha, Tyson, Mok, Swan

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: Schmidt

## 6. NEW BUSINESS

- A. **Resolution 54-21** Approving a Fifteen (15) Year Extension to the Telecom Lease Agreement with American Tower for the Site Located at 27210 Altamont Road (Staff: C. Einfalt)

**Management Analyst Cody Einfalt** presented the staff report.

Council asked questions of staff and received responses.

### Public Comment

**Allan Epstein, Los Altos Hills**, said that he suggested the Council consider getting a professional negotiator to get a better value.

**MOTION MADE AND SECONDED:** Councilmember **Mok** moved to adopt **Resolution 54-21** Approving a fifteen (15) year extension to the Telecom Lease Agreement with American Tower for the Site Located at 27210 Altamont Road. The motion was seconded by Vice Mayor **Tyson**.

MOTION PASSED 4-0-1:

AYES: Tankha, Tyson, Mok, Swan

NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: Schmidt

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

A. Report by the Undergrounding Subcommittee (Vice Mayor Tyson)

**Vice Mayor George Tyson** presented the utility underground report.

Public Comment

**Allan Epstein, Los Altos Hills**, wondered about the pay back that Comcast and AT&T have to provide. Did you receive any clarity? **Vice Mayor Tyson** responded that these are not the people who can answer that.

**Rajiv Bhateja, Los Altos Hills**, asked if Los Altos Hills Community Fiber is part of the discussion.

Council discussion ensued. No action was taken.

B. Report by the Fire Taskforce Subcommittee (Councilmember Schmidt)

This report was not considered as **Councilmember Schmidt** was absent.

C. Report on Adopting a Hybrid Meeting Technology from the Ad Hoc Emerging Technology Committee and Potential Action to Approve Direction to Staff to Enter into a Contract with the Council-approved Vendor for Acquisition and Installation of Hybrid Meeting Technology (Councilmember Swan)

**Councilmember Swan** presented the item. She introduced **Rajiv Bhateja**, who presented the ad hoc committee's findings. The ad hoc committee recommended Coda-Tech as the vendor of choice and requested the Council approve the CM sign an agreement with Coda-Tech in an amount not to exceed \$30,000.

Council discussion ensued.

**MOTION MADE AND SECONDED:** Councilmember **Mok** moved to authorize the City Manager to enter into an agreement with Coda-Tech for Acquisition and Installation of Hybrid Meeting Technology in an amount not to exceed \$30,000, without the roll-in TV option. The motion was seconded by Mayor **Tankha**.

MOTION PASSED 4-0-1:

AYES: Tankha, Tyson, Mok, Swan

NOES: None  
ABSTAIN: None  
RECUSE: None  
ABSENT: Schmidt

D. Status Reports from All Councilmembers on Subcommittee and Outside Agencies Activities

**Councilmember Mok** talked about the SCSC Roundtable regarding airplane noise. The proposed changes by the FAA had are not going to happen. They were thinking of changing one of the routes, but they aren't going to do that now. They will retain the route they currently have.

**Councilmember Swan** reported that the JVAC nominations are open. The documents can be found on the Town's website.

**8. STAFF REPORTS**

A. City Manager - ALPR Status Report (C. Einfalt)

**Management Analyst Cody Einfalt** provided the Council an update on the ALPR status. He said the item is going to the August 17, 2021 Board of Supervisor's meeting to review documents.

B. City Attorney

No report.

C. City Clerk

No report.

D. Planning Director

No report.

E. Administrative Services Director

No report.

F. Public Works Director

No report.

9. **COUNCIL INITIATED ITEMS**

- A. Discussion and Possible Action on Hosting a Study Session on Community Fiber (Mayor Tankha)

**Mayor Tankha** presented the discussion and proposed a study session. She requested **City Attorney Mattas** be involved and for staff to come up with questions for the study session. **Councilmember Mok** said he would like to present the entire process from start to finish and then direct staff to implement. **Mayor Tankha** asked that consultants be included.

Council discussion ensued.

**DIRECTION:** City Manager and City Attorney to work together come up with a date for all the stakeholders in the room. Start with staff and City Attorney and make sure we have enough people present to participate. A Town-wide mailer is necessary.

- B. Revisit the Concept of a Multi-Generational/Multi-user park for Los Altos Hills (Mayor Tankha)

**Mayor Tankha** presented the item.

Council discussion ensued.

**MOTION MADE AND SECONDED:** Vice Mayor **Tyson** moved to continue the meeting past 10:00 p.m. The motion was seconded by Councilmember **Swan**.

MOTION PASSED 4-0-1:

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

**Public Comment**

**Yibin Tang, Los Altos Hills**, said the Parks and Recreation Committee is interested in such a park.

**Jitze Couperus, Los Altos Hills**, said both a needs analysis and a practical look at what's feasible in a limited situation are needed. He believes it is possible to reach a reasonable agreement with the Little League.

There was consensus to move forward on this matter.

**MOTION MADE AND SECONDED:** Councilmember **Swan** moved to appoint **Mayor Tankha** and **Councilmember Mok** to an ad-hoc council subcommittee to assist the Parks and Recreation Committee in obtaining proposals for a multi-generational/multi-use park. The motion was seconded by Vice Mayor **Tyson**.

MOTION PASSED 4-0-1:

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

**10. ADJOURN**

The meeting was adjourned at 10:11 p.m.

Respectfully submitted,

*Deborah L. Padovan*

Deborah Padovan  
City Clerk

The minutes of the July 22, 2021, special City Council meeting were approved as presented at the August 19, 2021, regular City Council meeting.