

Town of Los Altos Hills

City Council Regular Meeting Minutes

Thursday, April 21, 2022 – 5:30 p.m.

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

Via teleconference according to the Governor’s Executive Order N-29-20, **Mayor Tyson** called the hybrid City Council Regular Meeting to order at 5:31 p.m.

Present: Mayor George Tyson, Vice Mayor Linda Swan, Councilmember Stanley Q. Mok, Councilmember Lisa Schmidt, Councilmember Kavita Tankha
Absent: None
Staff: City Manager Peter Pirenjad, City Attorney Steve Mattas, Associate Planner Jeremy Loh, Public Works Director Oscar Antillon, Administrative Services Director Sarina Revillar, Management Analyst II Cody Einfalt, City Clerk Deborah Padovan

1. **CALL TO ORDER (5:30 P.M.)**

Mayor Tyson called the meeting to order at 5:31 p.m.

2. **CLOSED SESSION TO DISCUSS THE FOLLOWING:**

A. CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One Case

3. **PUBLIC COMMENT ON CLOSED SESSION (LIMITED TO THE CLOSED SESSION ITEM)**

4. **ADJOURN CLOSED SESSION**

Adjourned to Closed Session at 5:32 p.m.
Closed Session adjourned at 5:53 p.m.

5. **CALL TO ORDER (6:00 P.M.) (OPEN SESSION)**

Mayor Tyson called the Open Session to order at 6:00 p..m.

6. **AGENDA REVIEW AND REPORT OUT OF CLOSED SESSION**

Mayor Tyson said there was no reportable action.

Mayor Tyson stated that regarding item 14.D, a solution has been found for the license

plate readers. If people are here with that only in mind, they can stay and hear that item.

There were no other changes to the agenda.

7. PRESENTATIONS AND APPOINTMENTS

A. Appointment to the Los Altos/Los Altos Hills Senior Commission

City Clerk Deborah Padovan presented the application of **Sharvari Dixit** for the Senior Commission.

Sharvari Dixit, Los Altos Hills, expressed an interest in serving on the commission.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to appoint **Sharvari Dixit** to the Los Altos/Los Altos Hills History Commission for a four-year term. The motion was seconded by Vice Mayor **Swan**.

MOTION PASSED 5-0:

AYES: Tyson, Swan, Mok, Schmidt, Tankha

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: None

B. Presentation on the Other Post Employment Benefit (OPEB) Actuarial Report for Fiscal Year Ending June 30, 2021

Cathy MacLeod, MacLeod and Watts, presented the Other Post Employment Benefit Actuarial Report for FY ending June 30, 2021. This report is to support plan funding. Plan funding is optional, but the town set up an irrevocable trust with CalPers to support retiree benefits.

The Council asked questions of **Ms. MacLeod** and received her responses. No action was taken.

8. PRESENTATIONS FROM THE FLOOR

*Persons wishing to address the Council on any subject **not** on the agenda may do so now. Please complete a Speaker Card located on the back table of the Council Chambers and submit it to the City Clerk. Comments are limited to two (2) minutes per speaker. California law prohibits the Council from acting on items that do not appear on the agenda. Under a Resolution previously adopted by the Council, such items can be referred to staff for appropriate action, which may include placement on the next available agenda.*

There were no public comments.

9. CONSENT CALENDAR

Prior to the Council voting on the Consent Calendar, **City Manager Peter Pirnejad** read the following statement:

“Agenda Item 9.I is an amendment to agreement with Meyers Nave for City Attorney services. Following completion of a favorable evaluation process for the City Attorney, the City Council authorized me to negotiate a contract amendment with Meyers Nave based on contract amendment request submitted by Meyers Nave. This is the first amendment to the Meyers Nave agreement since 2018. The proposed amendment would increase the retainer amount for monthly general services to \$12,950. The contract amendment also increases the special services rate to \$350 per hour and the hourly rates for litigation and cost recovery to a range between \$175 and \$420 per hour.”

Public Comment on Consent Calendar Items

Allan Epstein, Los Altos Hills, said he sent a comment on item 9.H. He suggested that the Council pull the item from the consent calendar for discussion purposes by the Council. He did not believe the staff report provided sufficient information.

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to approve the Consent Calendar. The motion was seconded by Councilmember **Mok**.

MOTION PASSED 5-0:

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

- A. Approval of City Council Special Meeting Minutes: March 17, 2022
- B. Approval of City Council Regular Meeting Minutes: March 17, 2022
- C. Approval of Special Joint City Council/Planning Commission Meeting Minutes: March 24, 2022
- D. Review of Disbursements: March 1-31, 2022 \$1,072,103.27
- E. Motion to Re-Authorize Remote Teleconference Meetings of the Town of Los Altos Hills, Including the Planning Commission and Committees, due to the Imminent Risks to the Health and Safety of Attendees and Making Related Findings Pursuant to AB 361 (Staff: S. Mattas)

- F. **Resolution 33-22** Authorizing the City Manager to Enter into Agreement with Eaton & Associates for Information Technology Services in an amount not to exceed \$153,000 (Staff: S. Revillar)
- G. Accepting the Biennial Other Post Employment Benefit Plan Actuarial Report for Fiscal Year Ending June 30, 2021 (Staff: S. Revillar)
- H. **Resolution 34-22** Approving Employee Enhancements to Attract and Retain Town Staff and **Resolution 35-22** Approving the FY 2021-22 Salary Schedule (Staff: S. Revillar)
- I. **Resolution 36-22** Approving Amendment No. 10 to the Agreement for City Attorney Services Between Meyers Nave and the Town of Los Altos Hills (Staff: P. Pirnejad)
- J. **Resolution 37-22** Authorizing the City Manager to Enter into a One-Year Agreement with Ann Hepenstal for Emergency Management Consultant Services not to exceed \$90,000 (Staff: C. Einfalt)
- K. **Resolution 38-22** Authorizing the City Manager to Execute an Amendment to the Landscape Maintenance Services Agreement Between the Town of Los Altos Hills and Bayscape Landscape Management in an amount not to exceed \$93,000 annually (Staff: O. Antillon)
- L. **Resolution 39-22** Adopting a Revised Sewer Connection Fee Schedule (Staff: O. Antillon)
- M. **Resolution 40-22** Authorizing the City Manager to Execute Agreement for Replacing Two Existing Sewer Pumps at the O'Keefe Pump Station (Staff: O. Antillon)
- N. **Resolution 41-22** Authorizing the City Manger to Execute Agreements for Installing New EV Charging Stations, Underground Raceway, wiring and Electric Subpanel at Town Hall (Staff: O. Antillon)
- O. **Resolution 42-22** Approving Addendum #1 to the Service Agreement with 4LEAF, Inc. to Expand the Scope of Services to Include Streamlining Permitting Process for the Electrification Program for the Building Department (Staff: S. Mangalam)
- P. **Resolution 43-22** Accepting an Agreement for an Open Space Easement at 26070 Newbridge Drive; Lands of Mousavi; File #SD21-0043 (Staff: J. Loh)
- Q. **Resolution 44-22** Authorizing the City Manager to Enter into an Agreement with Full Circle Catering for Town Picnic Lunches (Staff: S. Robustelli)
- R. **Resolution 45-22** Approving a Site Plan Design for the Dedicated Art Sculpture in the Roundabout of the Town Hall Parking Lot and Authorizing the City Manager to

Engage with a Contractor for Related Installation Work not to exceed \$60,000 (Staff: C. Einfalt)

- S. Proclamation Recognizing Challenge Team 35th Annual Youth Champions (Staff: D. Padovan)

10. NEW BUSINESS

- A. **Resolution 46-22** Appropriating \$45,000 from the Unreserved General Fund for a Supplemental Deputy of the Sheriff’s Office to Work During Peaks Hours of the day for the Remainder of the 2021-22 Fiscal Year (Staff: C. Einfalt)

Management Analyst II Cody Einfalt presented the staff report. He recommended appropriating 45,000 from the unreserved general fund for a supplemental deputy of the sheriff’s office to work during peak hours of the day for the remainder of the 2021-22 fiscal year.

Council discussion ensued.

Public Comment

Rajiv Bhateja, Los Altos Hills, asked about the five-day vs. the seven-day commitment. He would prefer to see a seven-day-week deputy. We should make a decision now that we want an additional deputy for next fiscal year.

MOTION MADE AND SECONDED: Vice Mayor **Swan** moved to approve **Resolution 46-22** Appropriating \$45,000 from the Unreserved General Fund for a Supplemental Deputy of the Sheriff’s Office to Work During the Peak Hours of the day for the Remainder of the 2021-22 Fiscal Year; and direction to staff to consider replacing the motorcycle officer with a patrol officer during the 2022-23 budget cycle. The motion was seconded by Councilmember **Schmidt**.

MOTION PASSED 5-0:

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

- B. Review and Consider Updating the City Council Summer Meeting Schedule to Potentially Cancel the July City Council Meeting (Staff: D. Padovan)

City Clerk Padovan presented the staff report.

Council discussion ensued.

There was no public comment.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved that the July Regular City Council Meeting be cancelled, with the caveat that a special meeting may be called if necessary. The motion was seconded by Councilmember **Mok**.

MOTION PASSED 5-0:

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

- C. Appointing Mayor Tyson as a Council Liaison to the Valley Transportation Authority Group 2 and Policy Advisory Committee (Staff: D. Padovan)

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to appoint **Mayor Tyson** to the Valley Transportation Authority Group 2 and Policy Advisory Committee. The motion was seconded by Vice Mayor **Swan**.

There was no public comment.

MOTION PASSED 5-0:

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

As it was not yet 7:00 p.m., the noticed time for Public Hearings to begin, item 12, Staff Reports, was begun at this point.

12. STAFF REPORTS

A. City Manager

City Manager Pirnejad thanked the City Council, staff, and community as we work through the process of meeting the needs of the town. He acknowledged the effort made to diligently work through the 2022 goals. He said that one of the Council's priorities is community events and they are back.

Last Saturday the town held the Hoppin' Hounds Biscuit Hunt for dogs benefiting Pets in Need. He thanked the Parks and Recreation Committee associate members for their efforts: Rebecca Hickman, Val Metcalfe, and Patty Radlo.

This Sunday, April 24, 2022, from 1:00 to 4:00 p.m. the town will hold its Earth Day Celebration at Westwind Community Barn including a reptile show, docent-led hike by Grassroots Ecology, and over 25 green exhibitors.

The Emergency Preparedness Fair will be held next Saturday, April 30, 2022, from 10:00 a.m. to 1:00 p.m.

Byrne Preserve Permanent Signage Update: Town staff received direction at the June 17, 2021, City Council meeting to work with the Open Space Committee and Parks and Recreation Committee to design an all-inclusive sign that establishes the rules but has a welcoming presence. This sign has been finalized and will be installed within the next month. If this sign is successful, the next step that staff and the subcommittee are recommending is to create a smaller sign within this series for the other entrance points.

Today representatives from GreenWaste visited to discuss the efforts of the GreenWaste Ad Hoc Committee, which is comprised of Mayor Tyson and Vice Mayor Swan, and they are totally on board with helping with revising our contract. We have an aggressive agenda and will try to keep up the momentum we've established.

Mayor Tyson commented that he was planning to run the 10K at the Pathways Run on May 7, 2022 and challenged individuals to come out and "beat me if you can."

As the time was now 7:00 p.m., Public Hearings were heard next.

11. PUBLIC HEARINGS

► City Council Ex Parte Contacts Policy Disclosure

Ex Parte Communications: **Vice Mayor Swan** said she spoke to **Birgitta Indaco, Planning Commissioner** and walked the property. **Councilmember Tankha** spoke with **Planning Commissioner Jim Waschura**.

- A. Request for a Map Adjustment Permit to Remove a Recorded Conservation Easement, Remove a Five-Foot Public Utility Easement, and Record a New Segment of Ten-Foot Public Utility Easement on a Portion of Lot 2 of Tract 6527, now part of 26070 Newbridge Drive (Staff: S. Mangalam)

Associate Planner Jeremy Loh presented the staff report.

Mayor Tyson opened the Public Hearing.

Kit Gordon, Los Altos Hills, pointed out that the changing of a conservation easement is unusual. The Open Space Committee has asked **Planning and Building Director Sofia Mangalam** to come to the next open space meeting to explain why

these easements are being changed. This topic should be explored more thoroughly at the Planning Commission.

Nadar Mousavi, Los Altos Hills, said that the changing of the conservation easement is legal.

Mayor Tyson closed the Public Hearing.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to approve **Resolution 47-22** Approving a Map Amendment Request for a Certificate of Correction Removing a 100-Foot Conservation Easement, Removing a 5-Foot Public Utility Easement and Recording a New 10-Foot Public Utility Easement. The motion was seconded by Councilmember **Schmidt**.

MOTION PASSED 5-0:

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

- B. Appeal of the Planning Commission Imposed Conditions of Approval for a Zoning Permit for new Fencing at 28001 Elena Road (Resolution #TBD) (Staff: S. Mangalam)

Associate Planner Jeremy Loh presented the staff report.

Council asked questions of staff and received responses.

Stephen Pahl, who represents the property owner, outlined the owner's intent and said they disagree with the terms and conditions of the Planning Commission.

Council asked questions of **Mr. Pahl** and received his responses.

Mayor Tyson opened the Public Hearing.

Sophia Huang, Los Altos Hills, as the owner of the property, wants the Council to understand the agricultural use of the property.

Bobby Chao, Los Altos Hills, if the land is owned, and you do everything within the constraints of the law, you should be allowed to do as you like.

Greg Goumas, Los Altos Hills, did extensive research into the Williamson Act. It enables a property owner to choose uses of the property for agriculture.

Kit Gordon, Los Altos Hills, said that she recommends the Council support the

Planning Commission's ruling.

Charlie Bronitsky spoke in opposition to the appeal.

Michael Grady, Los Altos Hills, spoke in opposition to the appeal.

Carol Gottlieb, Los Altos Hills, spoke in opposition to the appeal.

George, Los Altos Hills, spoke in opposition to the appeal.

Dru Anderson, Los Altos Hills, spoke in opposition to the appeal.

Alisa Bredo, Los Altos Hills, spoke in opposition to the appeal.

Birgitta Indaco, Planning Commissioner, said there are still areas on the property that can be used for agricultural use.

Sue Welch, Los Altos Hills, spoke in opposition to the appeal.

Jitze Couperus, speaking on his own accord and not as a Planning Commissioner, spoke in opposition to the appeal.

Mayor Tyson closed the Public Hearing.

Council discussion ensued

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to approve **Resolution 48-22** Denying an Appeal of the Planning Commission's Decision to Approve a Zoning Permit for New Fencing at 28001 Elena Road and Impose Certain Conditions of Approval. The motion was seconded by Vice Mayor **Swan**.

MOTION PASSED 5-0:

AYES: Tyson, Swan, Mok, Schmidt, Tankha

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: None

Recess: 8:19 p.m.

Reconvene to open session: 8:27 p.m.

12. STAFF REPORTS, *continued*

B. City Attorney

No report.

C. City Clerk

City Clerk Padovan announced that the new admin to support the City Clerk, City Manager, and Public Works begins on Monday, May 2, 2022. She noted that this will allow her to complete more projects. She added there will be outreach and advertising to fill upcoming vacancies on the Planning Commission and other bodies.

D. Planning Director

City Manager Pirenjad provided a report for **Director Mangalam**. The housing element update will be provided to council members.

E. Administrative Services Director

Administrative Services Director Sarina Revillar talked about current contracts expiring June 30, 2022. Staff engaged **Jonathan Reichental** to conduct an IT three-to five-year strategic plan. Finance staff is preparing the proposed FY 2022-23 Operating Budget to review with the City Council and FIC meeting in May.

F. Public Works Director

Public Works Director Oscar Antillon said the maintenance crew are busy keeping up with weed mowing. They support the Parks and Recreation Department with their activities. The engineering staff is working on CIP projects including pavement, sewer, and pathways.

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

A. Report by the Undergrounding Subcommittee (Mayor Tyson)

Mayor Tyson said we continue to be stymied by PG&E, which is not responding. He stated that we are frustrated with their lack of communication.

No action taken.

B. Request by Councilmember Schmidt to Sunset the Fire Taskforce Subcommittee (Councilmember Schmidt)

Councilmember Schmidt presented the item.

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to sunset the Fire Taskforce Subcommittee. The motion was seconded by Vice Mayor **Swan**.

MOTION PASSED 5-0:

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

C. Report from the Council Subcommittee on Community Surveys (Councilmember Schmidt)

Councilmember Schmidt presented a report on the community surveys. FlashVote was the vendor selected. About 200 individual enrolled and about 180 individuals replied to the first survey. The goal is quick, easy responses. She encouraged people to sign up with FlashVote for the next survey.

No action was taken.

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

Councilmember Mok reported on the Technology Committee and reviewed the materials related to Eaton and Associates and the IT strategic plan. They also discussed ALPR, broadband, and LAHCF.

Vice Mayor Swan said that the History Committee is hosting a walk on Saturday, Saturday, April 30th, leaving Foothill College parking lot at 10:00 a.m.

Councilmember Tankha reported on the Legacy Giving Subcommittee meetings. She also provided an update on public safety. She will be hosting a forum on Thursday, April 28th to talk about educating our residents on how to protect our properties from burglary.

Public Comment

Rajiv Bhateja, Los Altos Hills, said the Technology Committee passed a number of motions, including a two-part motion to (1) Develop a broadband access master plan in the most cost-effective manner with universal availability. They all support the City Manager's desire to hire a consultant to help with the masterplan at a reasonable cost; and (2) Because of the town's terrain and access issues, the committee recommends having multiple providers to allow for the emergence of "game-changing" technologies which may provide cost-effective solutions in the future, especially in remote areas. The committee is happy to help with monitoring those developments. The committee also passed a motion saying they had no objection to the Eaton contract. They did not have an opportunity to review it until today and found one issue. There is no mention that the final payment is contingent upon a smooth handoff to the next service provider, and they feel that is extremely important.

14. COUNCIL INITIATED ITEMS

- A. Request to Rename the Emergency Communications Committee to the Emergency Preparedness and Response Committee with an Updated Charter and Membership (Councilmember Schmidt)

Councilmember Schmidt presented the report.

Council discussion ensued.

Public Comment

Dru Anderson, Los Altos Hills, explained how one becomes a HAM radio operator. She is one of the founding members of the ECC and encouraged current members to continue to serve.

Rajiv Bhateja, Los Altos Hills, thanked **Councilmember Schmidt** for her initiative on this. He asked about the name of the committee and says that the word “emergency” scares people. Maybe a different word that covers a broader scope would be better.

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to direct staff to return in May with a proposed update to the standing committee resolution incorporating the new responsibilities of this committee. The motion was seconded by Vice Mayor **Swan**.

MOTION PASSED 5-0:

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

- B. Request to Direct Staff to Update the Hybrid Meeting Policy to allow Committees to hold Hybrid Meetings after AB 361 Expires (Vice Mayor Swan)

In accordance with AB 361, committees may continue to meet in a hybrid manner until the state law expires in January 2024. In the meantime, staff will be watching to see if the state legislature adopts new laws relating to public meetings. No action was taken.

- C. Request to Form a Council Ad Hoc Committee Focused on Broadband (Councilmember Mok)

Councilmember Mok presented the item.

Council discussion ensued.

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved form an ad hoc Committee on Broadband comprised of Councilmembers **Mok** and **Tankha**.

MOTION PASSED 5-0:

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

- D. Request to add Three Additional ALPR Cameras to Cover all Entrances into Town (Vice Mayor Swan)

Mayor Tyson said that we have a plan to utilize the cameras to seal off the entrances to the town. **City Manager Pirenjad** said we will relocate internal cameras to the perimeter. We will continue to evaluate ALPRs. We will work with the Technology Committee, Flock, and the sheriff's department. After a year the staff will come back to the Council to review the contract.

Vice Mayor Swan said that the City Manager has contacted Flock to move the internal cameras to external streets in town.

No action was taken.

15. ADJOURN

Councilmember Schmidt encouraged everyone to attend the Emergency Preparedness Fair on Saturday, April 30, 2022.

The meeting adjourned at 9:09 p.m.

Respectfully submitted,

Deborah L. Padovan

Deborah Padovan
City Clerk

The minutes of the April 21, 2022, regular City Council meeting were approved as presented at the May 25, 2022, special City Council meeting.