

Town of Los Altos Hills

City Council Regular Meeting Minutes

Wednesday, June 16, 2022 – 6:00 p.m.

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

This meeting was conducted virtually pursuant to the provisions of Assembly Bill 361 and Government Code Section 54953(e) related to conducting public meetings during the COVID-19 pandemic. **Mayor Tyson** called the hybrid Regular City Council Regular Meeting to order at 6:05 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 Pirnejad, City Attorney Steve Mattas, Planning Director Sofia Mangalam, Public Works Director Oscar Antillon, Administrative Services Director Sarina Revillar, Management Analyst II Cody Einfalt, Assistant Planner Areli Perez, City Clerk Deborah Padovan

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

Mayor Tyson called the meeting to order at 6:05 p.m. with a roll call and pledge of allegiance.

1. AGENDA REVIEW

There were no changes to the agenda. **Mayor Tyson** recognized the Parks and Recreation Committee for a successful 20th annual Pathways Run and the Community Relations Committee for a successful 2022 Town Picnic. He also recognized **Sarah Robustelli** for her work with the committees to make both events a success.

2. PRESENTATIONS AND APPOINTMENTS

A. Appointment to the Los Altos Hills Environmental Initiatives Committee

City Clerk Deborah Padovan presented the application of **Mike Salameh**.

Mr. Salameh was not present.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to appoint **Mike Salameh** to the Environmental Initiatives Committee for a four-year term. 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. Appointment to the Los Altos Hills Environmental Design and Protection Committee

City Clerk **Padovan** presented the application of **Grace Tsang**.

Grace Tsang, Los Altos Hills, introduced herself to the City Council and expressed her interest in serving on the EDPC.

MOTION MADE AND SECONDED: Vice Mayor **Swan** moved to appoint **Grace Tsang** to the EDPC for a four-year term. The motion was seconded by Councilmember **Tankha**.

MOTION PASSED 5-0:

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

C. Appointment to the Los Altos Hills Parks and Recreation Committee

City Clerk **Padovan** presented the application of **Jennifer Lauren Kan Bardsley** to the Parks and Recreation Committee.

Jennifer Lauren Kan Bardsley, Los Altos Hills, introduced herself and expressed her interest in serving on the committee.

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to appoint **Jennifer Lauren Kan Bardsley** to the Parks and Recreation Committee for a four-year term. The motion was seconded by Mayor **Tyson**.

MOTION PASSED 5-0:

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

D. Appointment to the Valley Transportation Authority Bicycle and Pedestrian Advisory Committee (Los Altos Hills Representative)

City Clerk **Padovan** presented the application of **Edward Munyak**.

Edward Munyak, Los Altos Hills, introduced himself to the City Council and expressed an interest in serving on the VTA BPAC.

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to appoint **Edward Munyak** to the VTA BPAC for a two-year term. 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

E. Appointment to the Los Altos Hills Pathways Committee

City Clerk Padovan presented the two applications.

Cindy Wenig, Los Altos Hills, introduced herself and expressed an interest in serving on the Pathways Committee.

Rajesh Shakkawar, Los Altos Hills, introduced himself and expressed an interest in serving on the Pathways Committee.

Council discussion ensued.

City Clerk Padovan distributed and then collected the ballots and stated that **Rajesh Shakkawar** had received the majority vote. The results were as follows:

Mayor Tyson voted for: **Rajesh Shakkawar**
Vice Mayor Swan voted for: **Rajesh Shakkawar**
Councilmember Mok voted for: **Rajesh Shakkawar**
Councilmember Schmidt voted for: **Rajesh Shakkawar**
Councilmember Tankha voted for: **Rajesh Shakkawar**

MOTION MADE AND SECONDED: Mayor **Tyson** moved to appoint **Rajesh Shakkawar** to the Pathways Committee 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

F. Appointments to the Emergency Preparedness and Response Committee

City Clerk Padovan presented the applications for the ERPC.

Amita Sachdeva, Los Altos Hills, introduced herself and expressed an interest in serving on the Emergency Preparedness and Response Committee.

Dave Stewart, Los Altos Hills, introduced himself and expressed an interest in serving on the Emergency Preparedness and Response Committee.

Jim Basiji, Los Altos Hills, introduced himself and expressed an interest in serving on the Emergency Preparedness and Response Committee.

Council discussion ensued.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to appoint **Sam Wood, Terry Kearney, Jim Basiji, Benjamin Gikis, Amita Sachdeva, and Dave Stewart** to the Emergency Preparedness and Response Committee. The motion was seconded by Councilmember **Swan**.

MOTION PASSED 5-0:

AYES: Tyson, Swan, Mok, Schmidt, Tankha

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: None

G. Appointments to the Los Altos Hills Planning Commission

City Clerk Padovan presented the applications.

Alisa Bredo, Los Altos Hills, introduced herself and expressed an interest in serving on the Planning Commission.

Rajiv Patel, Los Altos Hills, introduced himself and expressed an interest in serving on the Planning Commission.

Bernardo Ferrari, Los Altos Hills, introduced himself and expressed an interest in serving on the Planning Commission.

Ed Smith, Los Altos Hills, introduced himself and expressed an interest in serving on the Planning Commission.

City Clerk Padovan distributed and then collected the ballots and stated that **Rajiv Patel** and **Alisa Bredo** had received the majority of votes. The results were as follows:

Mayor Tyson voted for: **Alisa Bredo** and **Rajiv Patel**

Vice Mayor Swan voted for: **Alisa Bredo** and **Rajiv Patel**
Councilmember Mok voted for: **Alisa Bredo** and **Rajiv Patel**
Councilmember Schmidt voted for: **Alisa Bredo** and **Rajiv Patel**
Councilmember Tankha voted for: **Alisa Bredo** and **Rajiv Patel**

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to appoint **Alisa Bredo** and **Rajiv Patel** to the Planning Commission for four-year terms. 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

H. Presentation by City Attorney Providing Information on Brown Act Requirements, Options, and Limitations Related to Ad Hoc and Standing Committees

City Attorney Steve Mattas presented Brown Act information regarding ad hoc committees.

No action was taken.

3. **PRESENTATIONS FROM THE FLOOR**

Martha Bowden, Los Altos Hills, said the town's building process fails to protect neighbors from home construction and remodeling. The renovation of a home near her property started 20 years ago and the house has been abandoned.

Dru Anderson, Los Altos Hills, said she lives on the same street as **Martha Bowden**. She expressed concerns about the unfinished house on Saddle Court that has been under construction 20 years. She asked the Council to form a study and review on why these house projects can go on for decades.

Nick Hughes, Los Altos Hills, said this house has been abandoned for 20 years; or one-third of his life. He expressed concerns about fire occurring in the house due to vandalism.

Michael Grady, Los Altos Hills, expressed concerns about this same house. He would like the town to consider beefing up its enforcement policies.

4. **CONSENT CALENDAR**

Public Comment

There were no public comments.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to approve the Consent Calendar. 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

- A. Approval of City Council Special Meeting Minutes: May 25, 2022
- B. Approval of City Council Special Meeting Minutes: May 26, 2022
- C. Review of Disbursements: May 1-31, 2022 \$1,702,881.44
- D. 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)
- E. Adoption of **Ordinance 601** (Second Reading) Designating the Westwind Barn as a Historical Landmark (Staff: S. Mangalam) (Motion to Waive Reading and Adopt the Ordinance)
- F. Proclamation Accepting the Internet Digital Bill of Rights (Staff: D. Padovan)
- G. Proclamation Recognizing the 50th Anniversary of the Passage of Title IX of the Education Amendments of 1972 (Staff: D. Padovan)
- H. **Resolution 60-22** Modifying an Existing Open Space Easement to Accommodate an ADU at 13480 Wildcrest Drive with no reduction in the amount of Easement Area (Staff: S. Padovan)
- I. **Resolution 61-22** Authorizing the City Manager to Enter into an Agreement with Government Technology Group, LLC for Broadband Consulting Services and Appropriating \$95,000 from the Unreserved General Fund for FY 2022-23 (Staff: C. Einfalt)
- J. **Resolution 62-22** Approving the Annual 2022-23 Project List to be Submitted to the California Transportation Commission for SB1 Compliance (Staff: O. Antillon)
- K. **Resolution 63-22** to Adopt Supplemental Findings for Resolution No. 48-22 Denying an Appeal of the Planning Commission Imposed Conditions of Approval for a Zoning

Permit for New Fencing at 28001 Elena Road and Motion Approving Reconsideration (Staff: S Mattas and J. Loh)

- L. Approval for City Manager to Attend the 2022 ICMA Conference in Cleveland, Ohio September 18-21, 2022 (Staff: P. Pirnejad)

5. ONGOING BUSINESS

- A. Report on Methods and Provide Direction on the Community Facilities Needs Assessment and Community Survey (Staff: S. Robustelli)

Community Services Supervisor Sarah Robustelli presented the staff report.

Ryan Mottau, MIG, Inc., Berkeley, presented the community’s perspectives obtained from the surveys.

Kevin Lyons, Chief Scientist, Governance Sciences Group, provided information and the scientific panel methodology used in FlashVote.

Council discussion ensued.

DIRECTION: Staff and consultants to return with the raw data and recommendations and provide additional information about the Town Hall addition and community space efforts. Informally, the City Council will reach out to their constituents, and staff will continue to do outreach and committee interviews.

Recess: 8:10 p.m.
Reconvene to Open Session: 8:20 p.m.

6. PUBLIC HEARINGS

► City Council Ex Parte Contacts Policy Disclosure

- A. **Resolution 64-22** of the City Council of the Town of Los Altos Hills Requesting that the Santa Clara County Tax Collector Collect Delinquent Sewer Charges, the 2022-2023 Sewer Service Charges, and Contractual Assessment District Charges for Both the Palo Alto and Los Altos Sewer Basins (Staff: O. Antillon)

Ex Parte Contacts:

Vice Mayor Swan and **Councilmember Mok** both talked to **Allan Epstein** on Item 6.A and to **Nick Sutardja** on Item 6.C.

Councilmember Tankha spoke to **Nick Sutardja** on Item 6.C.

No contact disclosures for **Councilmember Schmidt** or **Mayor Tyson**.

Public Works Director Oscar Antillon presented the staff report.

Mayor Tyson opened the Public Hearing.

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

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to adopt **Resolution 64-22** of the City Council of the Town of Los Altos Hills Requesting that the Santa Clara County Tax Collector Collect Delinquent Sewer Charges, the 2022-2023 Sewer Service Charges, and Contractual Assessment District Charges for Both the Palo Alto and Los Altos Sewer Basins. The motion was seconded by **Mok**.

MOTION PASSED 5-0:

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

- B. **Resolution 65-22** Adopting the Proposed FY 2022-23 Operating Budget and FY 2023-27 Five-Year Capital Improvement Plan Budget and Gann Limit for the Town of Los Altos Hills; and **Resolution 66-22** Approving the FY 2022-23 Salary Schedule (Staff: S. Revillar)

Administrative Service Director Sarina Revillar presented the staff report.

Council discussion ensued.

Mayor Tyson opened the Public Hearing.

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

MOTION MADE AND SECONDED: Vice Mayor **Swan** moved to adopt **Resolution 65-22** Adopting the Proposed FY 2022-23 Operating Budget and FY 2023-27 Five-Year Capital Improvement Plan Budget and Gann Limit for the Town of Los Altos Hills; and **Resolution 66-22** Approving the FY 2022-23 Salary Schedule. The motion was seconded by Councilmember **Tankha**.

MOTION PASSED 5-0:

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

ABSENT: None

- C. Appeal of the Planning Commission Imposed Conditions of Approval for a Site Development Permit for Landscape Screening at 12869 La Cresta Drive – File #SD21-0079 (Resolution #TBD) (Staff: S. Mangalam)

Assistant Planner Areli Perez presented the staff report.

Council discussion ensued.

Mayor Tyson opened the Public Hearing.

Matt Francois, Attorney, respectfully asking the Council to grant the appeal to allow for the fence for their pets and growing family. He presented his case and introduced his clients **Nick** and **Heidi Sutardja**, who spoke on their behalf.

Birgitta Indaco, Los Altos Hills, said this house was an abandoned site and they restored the land in 2018 and the photos they are showing are a good 10 to 20 feet below the back of the house. You have to step down 10 feet down to get to the dining area. The views from the house are not impeded by this open space easement.

Kit Gordon, Los Altos Hills, said she requested that the Open Space Committee review the design of the fence being proposed. It is unusual to have a fence in the easement.

Carol Gottlieb, Los Altos Hills, commented that the house being constructed has a slope the same configuration that has been required on this. They are not asking for anything different than is being approved on other properties.

Mayor Tyson close the Public Hearing.

Council discussion ensued.

MOTION MADE AND SECONDED: Mayor **Tyson** moved to grant the appeal and direct staff to accept the compromise solution having to do with the new fence design as well as the location and the no-build covenant and at the same time direct staff to proceed with developing an improved fence ordinance. The motion was seconded by Councilmember **Mok**.

City Attorney Mattas read revised conditions into the record. The revised conditions included the following additions:

1. Prior to the issuance of a certificate of occupancy for the house, the property owner shall record against the property a 30-foot no-build covenant, in a form acceptable to the City Attorney and that is enforceable in perpetuity by the Town, commencing from the eastern property line parallel to La Cresta Drive. No structures, grading, or fill shall

be permitted within this no-build covenant area with the exception of a portion of the driveway, underground and above-ground utilities and a mailbox, which as applicable, are shown in the Project Plans. Only native vegetation may be planted within the no-build covenant area; however, no irrigation or sprinkler systems are permitted in the no-build covenant area. Prior to recording the covenant against the property, the property owner shall prepare and provide the draft covenant, legal description and plat exhibits as prepared by a licensed land surveyor for review and approval by the Planning Director.

2. Fencing location as shown on the plans dated July 19, 2022 is approved with final design. The applicant shall submit a revised site plan showing the fencing located outside the slope easement and the no-build covenant area. The revised site plan shall be subject to approval by the Planning Director.
3. The proposed fence shall provide openings sufficient to accommodate the free passage of wildlife through the no-build covenant area.

MOTION AND SECOND AMENDED: Mayor **Tyson** amended his motion to include the revised conditions. Councilmember **Mok** amended his second.

MOTION PASSED 5-0:

AYES: Tyson, Swan, Mok, Schmidt, Tankha

NOES: None

ABSTAIN: None

RECUSE: None

ABSENT: None

7. **STAFF REPORTS**

Item 7.B was heard first:

B. City Attorney

City Attorney Mattas announced that there was no reportable action as a result of the Closed Session at 5:30 p.m. on June 16, 2022.

He reported that on April 21, 2022, the City Council by a 5-0 vote approved a settlement agreement with **Roberto Martinez Sandoval**.

The Council received correspondence on regulation of firearms. For the record, the Council did adopt a firearm safety storage ordinance in 2021.

C. City Clerk

City Clerk Padovan reported that the Notice of Election will be in the July 6th *Town Crier* and the nomination period to run for Council begins on July 18 and runs through August 12.

D. Planning Director

Planning Director Mangalam reported that there will be a June 20, 2022, Special Joint City Council/Planning Commission meeting to discuss the Housing Element. She invited the community to attend and provide input.

E. Administrative Services Director

Administrative Services Director Revillar reported that they have two great candidates for accounting technician who are moving forward to the second round of interviews. Interns have started. She provided an update regarding the IT strategic plan and that the consultant will be reporting to the City Council at a future meeting.

F. Public Works Director

Public Works Director Antillon said our maintenance crew has done a good job with the Robleda/La Paloma path. It will be done soon.

Regarding Summerhill, they have great proposals to complete the path and that should be coming to the City Council for approval soon.

The E. Sunset widening project is moving along.

A. City Manager

City Manager Pirnejad reported the following items:

- A vegetation fire on Elena Road on Sunday, June 12, 2022. The Cause/Origin: Accidental
- Reminder to be vigilant with water savings due to the current drought.
- Hazard Mitigation Grant Program
- Neighborhood Watch Program
- Art Sculpture at Town Hall
- Engaging with KMVT to investigate the possibility of broadcasting City Council meetings and Planning Commission meetings over the television network.
- Emergency Operations. In the past couple of weeks, staff has been holding meeting with the town's new consultant Emergency Manager to discuss how to best prepare the town for the upcoming fire season, as well as any other emergency response situations that would need the involvement of staff and the community.
- Victoria Dye Equestrian Contract Renegotiation as the contract expires April 1, 2023. Staff met with VDE to review and discuss next steps in contract negotiation.
- Town Picnic Metrics
- 4th of July Parade
- **TEDx** is scheduled for January 2023.

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

A. Report by the Undergrounding Subcommittee (Mayor Tyson)

Mayor Tyson reported that PG&E said the service book has been received and they are about to identify a project manager.

No action was taken.

B. Report from the Council Ad Hoc Committee on Community Surveys (Mayor Tyson/Councilmember Schmidt)

Councilmember Schmidt emphasized that they are doing work to get information from people, but we need to bring that to a close in September. We need to move forward and decide what we want to do to keep this process moving along.

No action was taken.

C. Report from the Council Town Hall Ad Hoc Committee (Mayor Tyson/Councilmember Schmidt)

Councilmember Schmidt said that the committee is receiving community input.

No action was taken.

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

Councilmember Mok reported that we want to correct the issue with towers in town. Based on the Ad Hoc Broadband Committee discussion, Council would like staff to study and suggest possible text amendments to the “Wireless Telecommunications Facilities” ordinance to include provisions for internet-only providers.

City Manager Pirnejad said that it may take a bit longer, but staff will work with the ad hoc committee. This item will be added to agenda later in the year.

No action was taken.

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

Councilmember Mok talked about the leaf blower ordinance and requested that it be agendized for the August City Council Meeting. He would like to have the City Manager provide some testimony from town staff on how it would impact their ability to perform landscape maintenance. The “anti-leaf blower” side should also be allowed to present.

Additionally, there is concern that we may have more natural gas leakage and we may want to hire someone to review. He would like to see a presentation regarding that.

The Our Town newsletter is currently produced four times a year. He suggested that we form an ad hoc committee to weigh the value of the newsletter and make recommendations to the council on the cost, value, and benefit to the town. Will come back to the Council by November. He suggested that an ad hoc committee be made up of **Councilmembers Schmidt and Mok.**

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved that an ad hoc committee consisting of herself and Councilmember **Mok** be created to review the newsletter and make recommendations to the town. 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

Mayor Tyson reported on the activities on Silicon Valley Clean Energy, Community Health Awareness Council (CHAC), the Finance and Investment Committee. He further stated that the Los Altos Hills County Fire District (LAHCFD) just passed a budget, and they will be funding station 8.

MOTION MADE AND SECONDED: Vice Mayor **Swan** moved to extend the meeting past 10:00 p.m. 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

9. COUNCIL INITIATED ITEMS

- A. Request and Possible Action to Direct Staff Pursue a California State Landmark Designation for Westwind Community Barn (Vice Mayor Swan)

Vice Mayor Swan presented her request.

Director Mangalam provided information on the process of the historic registration.

There was Council consensus to add this item to the 2023 priority setting session.

10. **ADJOURN**

The meeting adjourned at 10:23 p.m.

Respectfully submitted,

Deborah L. Padovan

Deborah Padovan
City Clerk

The minutes of the June 16, 2022, regular City Council meeting were approved as presented at the August 18, 2022, regular City Council meeting.