

Town of Los Altos Hills City Council Regular Meeting Minutes

Thursday, February 16, 2023

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

Present: Mayor Linda Swan, Vice Mayor Stanley Q. Mok, Councilmember Lisa Schmidt, Councilmember Kavita Tankha, Councilmember George Tyson

Absent: None

Staff: City Manager Peter Pirnejad, City Attorney Steve Mattas, Public Works Director/City Engineer Woojae Kim, Administrative Services Director Sarina Revillar, Special Projects Consultant Steve Padovan, Senior Planner Elaine Ling, Management Analyst II Cody Einfalt, 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 6:27 p.m.

1. AGENDA REVIEW

Mayor Swan asked to move Item 2.H to be heard before Item 2.A. Item 10.A will be heard after Item 5.A. Item 2.G will be heard after 9.D.

2. PRESENTATIONS AND APPOINTMENTS

Since the presenter for **Item 2.H** had not yet arrived, **Item 2.A** was heard first:

A. Appointment to the Los Altos Hills Emergency Preparedness and Response Committee

City Clerk Deborah Padovan presented the application of **Dr. Phillip Harter**.

Dr. Harter introduced himself to the City Council and expressed an interest in serving on the EPRC.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to appoint **Dr. Phillip Harter** to the Los Altos Hills Emergency Preparedness and Response Committee for a four-year term. 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

B. Appointments to the Los Altos/ Los Altos Hills Joint Community Volunteer Awards Committee

City Clerk Deborah Padovan presented the applications of **Jennifer Duarte, Don Mattson, Sandy Mingia, and Benjamin Gikis**. She then distributed ballots to those Councilmembers present in the Council Chambers. Council completed their ballots and **City Clerk Padovan** collected them. She then asked **Council Member Tyson** for his selections and compiled the paper ballots. She announced that **Jennifer Duarte, Don Mattson, and Sandy Mingia** had received the majority of votes.

The results were as follows:

Mayor Swan voted for: **Jennifer Duarte, Don Mattson and Sandy Mingia**
Vice Mayor Mok voted for: **Jennifer Duarte, Don Mattson and Sandy Mingia**
Councilmember Schmidt voted for: **Jennifer Duarte, Don Mattson and Sandy Mingia**
Councilmember Tankha voted for: **Benjamin Gikis**
Councilmember Tyson voted for: **Jennifer Duarte, Don Mattson and Sandy Mingia**

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to appoint **Jennifer Duarte, Don Mattson, and Sandy Mingia** to the Los Altos/ Los Altos Hills Joint Community Volunteer Awards Committee. The motion was seconded by Councilmember **Schmidt**.

MOTION PASSED 5-0:

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

C. Appointments to the Los Altos Environmental Initiatives Committee

City Clerk Deborah Padovan presented the application of **George Lee**.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to appoint **George Lee** to the Los Altos Environmental Initiatives Committee. The motion was seconded by Councilmember **Schmidt**.

MOTION PASSED 5-0:

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

ABSTAIN: None
RECUSE: None
ABSENT: None

D. Reappointment and Appointments to the Los Altos Hills Pathways Committee

City Clerk Deborah Padovan presented the reappointment request of **Richard Partridge** and the applications of **Garrett Bruer, Michael Henshaw, and Laure Tuchscherer.**

Laure Tuchscherer, Los Altos Hills, introduced herself to the City Council and expressed an interest in serving on the committee.

Michael Henshaw, Los Altos Hills, introduced himself to the City Council and expressed an interest in serving on the committee.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to reappoint **Richard Partridge** to the Los Altos Hills Pathways Committee for a four-year term. The motion was seconded by Vice Mayor **Mok.**

MOTION PASSED 4-1:

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

City Clerk Deborah Padovan distributed ballots to those Councilmembers present in the Council Chambers. Council completed their ballots and **City Clerk Padovan** collected them. She then asked **Council Member Tyson** for his selections and compiled the paper ballots. She announced that **Laure Tuchscherer** received a majority of votes.

The results were as follows:

Mayor Swan voted for: **Laure Tuchscherer**
Vice Mayor Mok voted for: **Laure Tuchscherer**
Councilmember Schmidt voted for: **Laure Tuchscherer**
Councilmember Tankha voted for: **Laure Tuchscherer**
Councilmember Tyson voted for: **Laure Tuchscherer**

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to appoint **Laure Tuchscherer** to the Los Altos Hills Pathways Committee for a four-year term. The motion was seconded by Council Member **Schmidt.**

MOTION PASSED 5-0:

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

- E. Reappointment to the Los Altos Hills Park and Recreation Committee

City Clerk Padovan presented the application of **Yibin Tang**.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to reappoint **Yibin Tang** to the Los Altos Hills Park and Recreation Committee for a four-year term. 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

Item 2.H was heard next:

- H. Presentation and Report on the Town's Inaugural TEDx Los Altos Hills

Medha Nicky Rishi, the TEDx licensee for the January 28th event, provided an update on how it went. They look forward to offering an event in 2024. No action was taken.

- F. Presentation by Greenwaste Executive Staff on how Recyclable Material is Handled in Los Altos Hills

Tracey Adams, CEO of Greenwaste, presented the report.

The Council received the information, asked questions and received responses. No action was taken.

City Manager Pirnejad said they would like to offer a tour of the MERF.

- ~~G. Presentation by the City Manager on the EOC Drill Conducted on February 1, 2023 –
*This item was moved to follow **Item 9.E**.*~~

3. **PRESENTATIONS FROM THE FLOOR**

Kjell Karlsson, Los Altos Hills, said he has never seen a consent calendar this long and questioned if all of the items belong there.

4. **CONSENT CALENDAR**

- A. Approval of Special City Council Meeting Minutes - January 24, 2023
- B. Approval of Special City Council Meeting Minutes - January 25, 2023
- C. Approval of Special City Council Meeting Minutes - January 30, 2023
- D. Approval of Special City Council Meetings - February 7, 2023
- E. Review of Disbursements: January 1-31, 2023 \$1,254,782.55
- F. Approval of Treasurer's Report for the Month Ended December 31, 2022 (Staff: S. Revillar)
- G. Receive Quarterly Investment Portfolio Report – Quarter Ending December 31, 2022 (Staff: S. Revillar)
- H. **Resolution 10-23** Adopting the Revised Investment Policy (Staff: S. Revillar)
- I. Response to the Grand Jury Final Report on Show Me the Money: Financial Transparency Needed (Staff: S. Revillar)
- J. **Resolution 11-23** Approving Changes to the Job Description for Planning Director; **Resolution 12-23** Approving Amending the City Council Employee Classification and Compensation Plan on the Salary Schedule and Approve a 3-Year Retention Bonus (Staff: S. Revillar)
- K. **Resolution 13-23** Approving and Authorizing the City Manager to Execute an Agreement for Professional Recruiting Services for the Community Development Classification in an amount not to exceed \$30,000 and Appropriate \$30,000 from the Unreserved General Fund (Staff: S. Revillar)
- L. 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)
- M. Adoption of **Ordinance 608** (Second Reading) Amending Title 2, Chapter 6 of the Los Altos Hills Municipal Code Adding Conflict of Interest Designations (Staff: S. Mattas) – Motion to Waive Reading and Adopt the Ordinance

- N. **Resolution 14-23** Approving the City Council Work Plan for 2023 (Staff: C. Einfalt)
- O. Approval for the Mayor to Sign a Letter to League of California Cities regarding Dues and Representation (Staff: S. Mattas)
- P. **Resolution 15-23** Approving a Change Order with Syserco for the Construction of a Fence for the Battery Energy Storage System in the Amount of \$24,750 (Staff: C. Einfalt)
- Q. **Resolution 16-23** Authorizing the City Manager to Enter into a Construction Agreement with Express Plumbing, Inc. for Emergency Sewer Main Repair/Replacement at Adobe Creek for a Total Amount Not to Exceed \$85,000 Including Contingency (Staff: D. Liang)
- R. **Resolution 17-23** Authorizing the City Manager to Auction, Transfer, Donate, or Recycle/Dispose Surplus Vehicles and Equipment (Staff: W. Kim)
- S. **Resolution 18-23** Approving and Authorizing the Execution of Amendment No. 1 to the Employment Agreement with Peter Pirnejad for City Manager Services (Staff: S. Mattas)
- T. Proclaiming May 2023 as Asian American and Pacific Islander (AAPI) Month (Staff: D. Padovan)
- U. Request for the Mayor to Sign a Letter to the VTA in Support of Santa Clara County Roads and Airports Bike/Ped Planning Studies Grant Application for Foothill Expressway (Staff: D. Padovan)
- V. **Resolution 19-23** Revising the Existing Tripepi Smith Agreement to Increase the not exceed amount to \$50,000 for Media and Communication Services (Staff: P. Pirnejad)

Mayor Swan pulled Item 4.V.

City Attorney Steve Mattas stated that the City Manager's approval and amendment to the employment agreement. Under California law, we include the information in the staff report, and required to verbally state the terms into the record. He noted that the recommended contract amendment to add one year to the contract, increase compensation from \$236,000 to \$254,880. Effective retroactively to the anniversary date of his contract. It also increased the deferred compensation to a maximum of \$3,744 per year, and it also increased the administrative leave to 120 hours per year.

Councilmember Mok commented on Item 4.P. **Management Analyst II Einfalt** provided background on the fence. The fence was missed in the process.

Public Comment

Allan Epstein, Los Altos Hills, commented on Item 4.I, the grand jury response. He recommended a change to the response.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to approve the Consent Calendar with the exception of Item 4.V. 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

Regarding **Item 4.V**, **City Manager Pirnejad** explained the need for a larger contract for the media communications firm.

Ryder Smith, Tripepi Smith, Irvine, responded to questions from the City Council.

Public Comment

Allan Epstein, Los Altos Hills, said it disappointing that the staff report was posted at 10:00 a.m. this morning. He requested that the item be continued to another meeting.

Duffy Price, Los Altos Hills, said she is intrigued by this firm. She would be very interested in the list of cities, and which of those cities are involved in maintaining local control. She asked if this was a lobbyist.

City Manager Pirnejad said that **Tripepi Smith** is a communications firm.

John Swan, Los Altos Hills, said that he agreed with **Duffy Price** and **City Manager Pirnejad**. Rather than approve this tonight, he suggested that we take a step back and come up with a game plan. What are we trying to accomplish and if this firm works for us, **Duffy Price** should be our spokesperson on how to work in the effort to bring back the local land issue to town.

Jim Waschura, Los Altos Hills, agreed with the idea that town residents need information. When the builders remedy issue came to the press, we were getting calls on what is going on in town. The calls inside the town, there wasn't enough information - that is the area that we should spend on to inform our residents.

Council discussion ensued.

MOTION MADE AND SECONDED: Council Member **Schmidt** moved to approve **Resolution 19-23** Revising the Existing Tripepi Smith Agreement to Increase the not exceed amount to \$50,000 for Media and Communication Services. The motion was seconded by Councilmember **Tankha**.

MOTION PASSED 5-0:

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

5. ONGOING BUSINESS

A. **Resolution 20-23** Approving the One-Year Review of the Automatic License Plate Reader Pilot Program and Receiving Council Direction on Continued use of the System in Town (Staff: C. Einfalt)

Management Analyst II Cody Einfalt presented the staff report.

Captain Valenzuela discussed the statistics on residential burglaries in Town.

Council discussion ensued.

Public Comment

Rajiv Bhateja, Los Altos Hills, spoke in support of maintaining the ALPRs.

MOTION MADE AND SECONDED: Councilmember **Tyson** moved to approve **Resolution 20-23** Approving the One-Year Review of the Automatic License Plate Reader Pilot Program. 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

DIRECTION: The City Council extended the use of the ALPR system in Town, and requested an outside party to review the system and provide further direction on ways the Town and sheriff's office can use the system more efficiently.

Item 10.A was heard next:

10. **COUNCIL INITIATED ITEMS**

- A. Discussion on the Rise of Residential Burglaries in the Town and the City Council’s Response (Councilmember Tankha)

Councilmember Tankha presented the topic. She wants action now; not waiting for when the burglaries go down.

Council discussion ensued.

Staff will return with some suggestions on how we move forward in short term and then longer term.

City Manager Pirnejad suggested an ad hoc committee to review this topic, saying there are definitely things we can do short term. A very focused, public campaign to educate people in town is needed.

Public Comment

Rajiv Bhateja, Los Altos Hills, said that the Neighborhood Watch in his community - they have had zero burglaries. There are a lot of technological solutions. Lights in driveway; lights in house. When someone comes up, a dog barks inside the house. How to make the town safer - you need to hire more people.

MOTION MADE AND SECONDED: Mayor **Swan** moved to approve the addition of two overtime officers to patrol 8 hours per day for the next two months. 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

Additionally, the Council formed an ad hoc committee comprised of **Councilmembers Tankha and Tyson** to discuss further options to make the town safer. (no vote)

Council recessed at 9:21 p.m.

Council reconvened to Open Session at 9:26 p.m.

6. **NEW BUSINESS**

- A. Receive 2022-23 Mid-Year Financial Report and Adopt **Resolution 21-23** Approving the Mid-Year Budget Appropriations (Staff: S. Revillar)

Administrative Services Director Sarina Revillar presented the staff report.

Council discussion ensued.

MOTION MADE AND SECONDED: Councilmember **Schmidt** moved to approve **Resolution 21-23** Approving the Mid-Year Budget Appropriations. 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

7. **PUBLIC HEARINGS**

➤ **City Council Ex Parte Contacts Policy Disclosure**

- A. **Resolution 22-23** Adopting the FY 2022-23 Planning and Building Fee Schedule and Determination that the Proposal does not Qualify as a Project under the California Environmental Quality Act (Staff: Planning)

Ex Parte: None

Senior Planner Elaine Ling presented the staff report.

Mayor Swan opened the Public Hearing.

Allan Epstein, Los Altos Hills, said the town is making some small modification to planning fees. He suggested that the fee schedule should be changed to clarify when MEP fees should be charged. It needs to be made clear.

Mayor Swan closed the Public Hearing.

MOTION MADE AND SECONDED: Councilmember **Tankha** moved to approve **Resolution 22-23** Adopting the FY 2022-23 Planning and Building Fee Schedule and Determination that the Proposal does not Qualify as a Project under the California Environmental Quality Act. The motion was seconded by Councilmember **Schmidt**.

MOTION PASSED 5-0:

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

MOTION MADE AND SECONDED: Mayor **Swan** moved to continue the meeting past 10:00 p.m. The motion was seconded by Councilmember **Schmidt**.
5-0

MOTION PASSED 5-0:

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

8. STAFF REPORTS

A. City Attorney

City Attorney Mattas outlined the noticing requirements of ad hoc committees and subcommittees under the Brown Act.

B. City Clerk

No report.

C. Planning/Building Director

Interim Projects Manager Steve Padovan said the current planning, building and code enforcement staff have been doing a fantastic job while the town is searching for a director. The Planning Commission met last night regarding incentives for SB 9 units. The Planning Commission ad hoc committee will continue to meet to discuss development standards. He also said that the Annual Housing Progress Report will be coming to the Council in March.

D. Administrative Services Director

Director Revillar reported that the management staff conducted their annual budget retreat and are preparing for the 2023-24 budget.

E. Public Works Director

Director Kim said Public Works staff are working on creating a plan to construct the 3.6 miles of pathway.

F. City Manager

City Manager Pirnejad provided the following report:

LAFCO’s Countywide Fire Service Review Technical Assistance Team Meeting – Friday, February 17, 2023. AP Triton, the Consultant working with LAFCO, is holding a meeting on the preliminary finding of the service review. The public will have the opportunity to provide comment in the draft report later this year starting around May and June.

Coffee with the Sheriff Event Series – Scheduled for next week – 3rd Tuesday of the Month – This program was created to enable the Sheriff’s Office the chance to interact more successfully with the citizens they serve each day. The goal is casual, one-on-one conversations between residents and the Santa Clara County Sheriff’s Office. There are no speeches and no agendas. This is an opportunity for you to meet your neighborhood members of the Sheriff’s Office in a relaxed environment, build bonds, and share ideas to make our communities even better.

Housing Element – As a reminder to the public the town adopted a substantially compliant housing element prior to the state law deadline of January 31st. The town is currently reviewing the proposed “Builder’s Remedy” project proposals. The media has taken great interest in the applications and staff is responding accordingly.

Keeping the Town Informed – The City Manager Weekly Report (CMWR) - New and improved CMWR coming soon. Hearing comments that residents want both more and fewer details, staff is taking a new approach to keeping the Council and community informed. Stay tuned and we look forward to your feedback.

Quarterly – Our inaugural 8-page edition was delivered to every resident in Los Altos Hills. Future editions will be 4 pages and continue to share timely government news aimed at keeping our residents informed and engaged. Our first edition resulted in a significant number of new committee applications. Thank you to everyone that read and enjoyed the newsletter.

Engaging a Lobbying firm to test the benefit to the Town – We are engaging Joe A. Gonsalves & Son regarding our efforts in maintaining local control.

Decarbonization Grant – The Town of Los Altos Hills officially received a \$70K Decarbonization Grant from the SVCE.

State of Emergency – Officially expires Friday, February 17, 2023.

Joint public meeting here in the chambers with the Los Altos Hills County Fire District on the Community Wildfire Protection Plan update – The town staff will be holding a joint public meeting here in the chambers with the Los Altos Hills

County Fire District on the Community Wildfire Protection Plan update. This is scheduled for Wednesday, March 15, 2023. We are updating the specific chapter for Los Altos Hills within the plan and will be seeking community input on the projects and programs being proposed in the plan.

Community Services:

This week the Town hosted 47 3rd Graders from Gardner Bullis to Tour of Town Hall to augment their local government curriculum.

The Community Relations Committee with help from staff are hosting a [Newcomers' Welcome Reception](#) on Sunday, March 5, 2023, from 1:00 to 3:00 p.m. All Council were sent invites; chairs of each committee and all new residents within that last 4 years were mailed invitations.

The Spring Summer Activity Guide is currently at the printer and will be mailed by the end of the month. The online version is available on the town website.

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

A. Report by the Undergrounding Subcommittee (Mayor Tyson)

Councilmember Tyson announced meaningful progress on the first undergrounding underground utilities project. On Monday they had their first in person meeting with PG&E and learned that PG&E hopes to assign an estimator in the next few weeks. The hope was to have some groundbreaking by 2024.

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

Vice Mayor Mok said the town wide survey has been completed and GovTech has analyzed the results of the 400 separate responses. So now we have an idea on who doesn't have broadband, or has weak, unreliable, and expensive broadband. The next meeting of the ad hoc committee is Friday, February 24, 2023, and it will be a noticed, joint meeting with the Technology Committee.

C. Report and Possible Action from the Council Ad Hoc Committee to Review the Our Town Newsletter (Councilmember Schmidt/Mayor Swan)

Councilmember Schmidt said the goal is to allow Our Town to focus on the community and history in the town with high quality output. The History Committee will be meeting next week and will be discussing how the Our Town is administered.

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

Vice Mayor Mok said the Cities Association met and voted for the LAFCO representative. The individual who received the most votes for the position is from Sunnyvale, with the alternate from Morgan Hill.

Councilmember Schmidt said the Emergency Preparedness and Response Committee (EPRC) has been working on a list of disaster service workers volunteers who will be able to respond in an emergency. She said that the fire district has been promoting Firewise communities throughout town and the EPRC would like to help to push out the information.

Mayor Swan said she attended a ribbon cutting at the History Museum for a permanent exhibit entitled “Making Connections, Stories from the Land.” She encouraged all to go and see the exhibit.

2. PRESENTATIONS AND APPOINTMENTS, continued

G. Presentation by the City Manager on the EOC Drill Conducted on February 1, 2023

City Manager Pirnejad provided an update on the EOC drill, including the attendees that participated in a full-scale activation of the EOC.

11. ADJOURN

The meeting adjourned at 10:27 p.m.

Respectfully submitted,

Deborah L. Padovan

Deborah Padovan
City Clerk

The minutes of the February 16, 2023, regular City Council meeting were approved as presented at the March 16, 2023, regular City Council meeting.